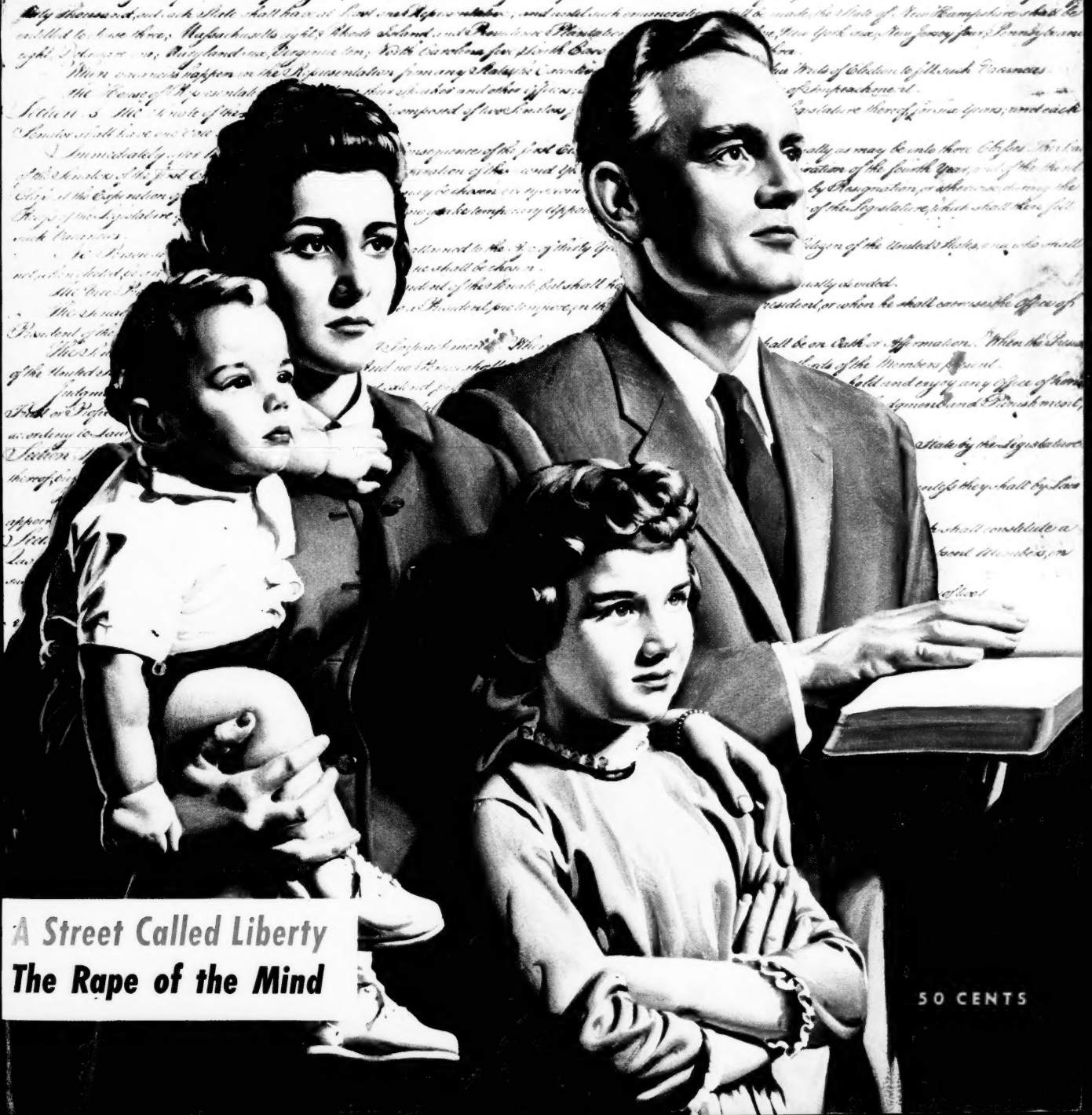


We the People

LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM



A Street Called Liberty
The Rape of the Mind

50 CENTS

DECLARATION OF PRINCIPLES

of the International Religious Liberty Association

We believe in religious liberty, and hold that this God-given right is exercised at its best when there is separation between church and state.

We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights, and to rule in civil things; and that in this realm it is entitled to the respectful and willing obedience of all.

We believe in the individual's natural and inalienable right of freedom of conscience: to worship or not to worship; to profess, to practice, and to promulgate his religious beliefs, or to change them according to his conscience or opinions, holding that these are the essence of religious liberty; but that in the exercise of this right he should respect the equivalent right of others.

We believe that all legislation and other governmental acts which unite church and state are subversive of human rights, potentially persecuting in character, and opposed to the best interests of church and state; and therefore, that it is not within the province of human government to enact such legislation or perform such acts.

We believe it is our duty to use every lawful and honorable means to prevent the enactment of legislation which tends to unite church and state, and to oppose every movement toward such union, that all may enjoy the inestimable blessings of religious liberty.

We believe that these liberties are embraced in the golden rule, which teaches that a man should do to others as he would have others do to him.

*International Religious Liberty Association
6840 Eastern Avenue
Takoma Park, Washington 12, D.C.*



50 CENTS
A COPY

LIBERTY

WASHINGTON
D. C.

A MAGAZINE OF RELIGIOUS FREEDOM

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OUR COVER PICTURE: What will the new year bring? New hope, new confidence in the principles undergirding American liberties, if Artist Russell Harlan has used his colors after due deliberation. For so long as Mr. and Mrs. America remember the rich heritage bequeathed them in the Book before and in the document behind, so long as they teach their children the great principles of liberty set forth in both, so long will hope live in the human heart and confidence mark the defense of freedom. As for little Master and Miss America, they will be asleep when the fireworks crackle and the horns toot and the bells ring. *If the noise wakes you, little ones, don't let it frighten you; some of your forefathers once rang a bell so hard they cracked it, and millions have awakened to call them blessed.*

ARTIST, RUSS HARLAN

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THE INTERNATIONAL RELIGIOUS LIBERTY ASSOCIATION, organized in 1888, is dedicated solely to the preservation of religious liberty, as indicated in the Declaration of Principles on the preceding page. The Association advocates no political or economic theories.



from the editor's desk

For 53 years under 8 editors **LIBERTY** has fought the battles of freedom, daring to bring before men the real questions at issue in measures to restrict liberty of conscience. To those men of government who would make the church a ward of the state, and the state the definer of heretics, **LIBERTY** has declared, "Render therefore unto Caesar the things which are Caesar's; and unto God the things that are God's"; to those men of the cloth who would make the state a ward of the church, and the church the definer of good citizenship, it has declared, "My kingdom is not of this world."

Now at a time when a barrage of verbal brickbats and restrictive laws is being hurled against the barrier between church and state, **LIBERTY** goes bimonthly. And becomes more than ever an international journal with the addition to its staff of contributing editors Dr. Jean Nussbaum, Secrétaire Général [French] de l'Association Internationale pour la Défense de la Liberté Religieuse, and W. L. Emmer-son of London. Representing it around the world will be a staff of correspondents. (See masthead.)

Also, with this issue **LIBERTY**:

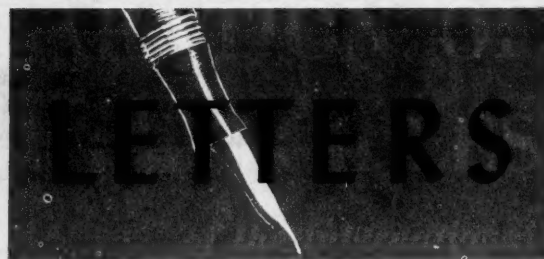
Begins a new series of articles that will explore the subtle forces of conformity stealthily intruding into man's mental sanctum sanctorum (see "The Rape of the Mind," p. 6);

Presents two new departments ("Letters," "Through Yesterday's Window") and begins a new series of great freedom songs ("O Canada!" p. 17).

In coming issues **LIBERTY** will take recognition of the space age, look at the ecumenical movement, appraise labor union influence upon Sunday laws.

New features, new emphasis, new frequency, but the same dedication to old truths, old freedoms, old "paths to dwell in."

Roland R. Hegstad



WE GET SOME LIKE THIS . . .

GENTLEMEN:

I have been in receipt of your magazine (?) **LIBERTY** for the past two or three issues. . . .

Before I complain to the Post Master General that I dislike having my post office box cluttered up with the biased, prejudiced, didactic trash that you circulate, . . . immediately cease and desist from mailing your unwanted tracts or comic book approach to the world's problems to the undersigned.

A portion of the wrapper which brought this scurrilous conglomeration of inanities to Kodiak is enclosed to assist you in identifying the writer, and removing my name from the mailing list.—J. S. M., Kodiak, Alaska.

AND THIS . . .

GENTLEMEN:

I would like to exercise one of my freedoms and ask you to please remove my name from your mailing list . . . —H. P. J., Bellwood, Illinois.

BUT MORE LIKE THIS . . .

DEAR SIR:

I enjoy reading your magazine **LIBERTY**, in which I find a lot of excellent material. I also watch Religious Town Hall telecast when I have opportunity. . . .

While I am not in agreement with you on the Sabbath question, I am definitely opposed to any and all Sunday laws that would restrict or limit your rights as a Christian and a citizen.—A. F. G., Portland, Oregon.

SOMEWHAT PUZZLED

DEAR SIR:

I have just read two interesting dissertations in the **LIBERTY** magazine; but I am somewhat puzzled regarding an inference included in both. I am referring to the two articles on the so-called Green River ordinance and its legality. . . .

I believe the articles in **LIBERTY** are good, except for the inferences that licenses are possible under a Green River type ordinance. I believe that is not the historic conception of this type of regulation, and that such a regulation is not constitutional under any circumstances. If my conception is wrong, I would appreciate clarification.—J. L. R., Brownsville, Oregon.

► The term "Green River ordinance" is not a technical one. Therefore it can properly be used to describe any ordinance that restricts, regulates, or prohibits door-to-door canvassing in residential areas. In the Breard case the Supreme Court upheld a Green River ordinance as a valid exercise of police power in regulating purely commercial canvassing.—Ed.

LIBERTY, 1960

I WAS NOT MEANT TO BE A *Slave*

IF GOD had meant me to be a slave, to be just a robot, subject to the whims of human masters, I don't think He would have made me as I am: A creature, unlike all other creatures, capable of asking, "What ought I to do?"; a creature who can seek and find an answer to the big question "Who am I?"; an individual who can participate in the realization of his own personal destiny; a man who yearns to, and can, provide for his own security; a person for whom God Himself came down and made a great sacrifice, thereby enabling me to renew my status with Him.

No, I don't think I was meant to be a slave, completely or partially. Rather was I meant to be free. The need for freedom, I believe, is one of the most basic requirements of every human being. Unless we are really free we can never hope to find genuine security. . . .

It's up to us, every last one of us, to . . . protect the freedoms we can still exercise, and use them to get back the freedom we have already lost.

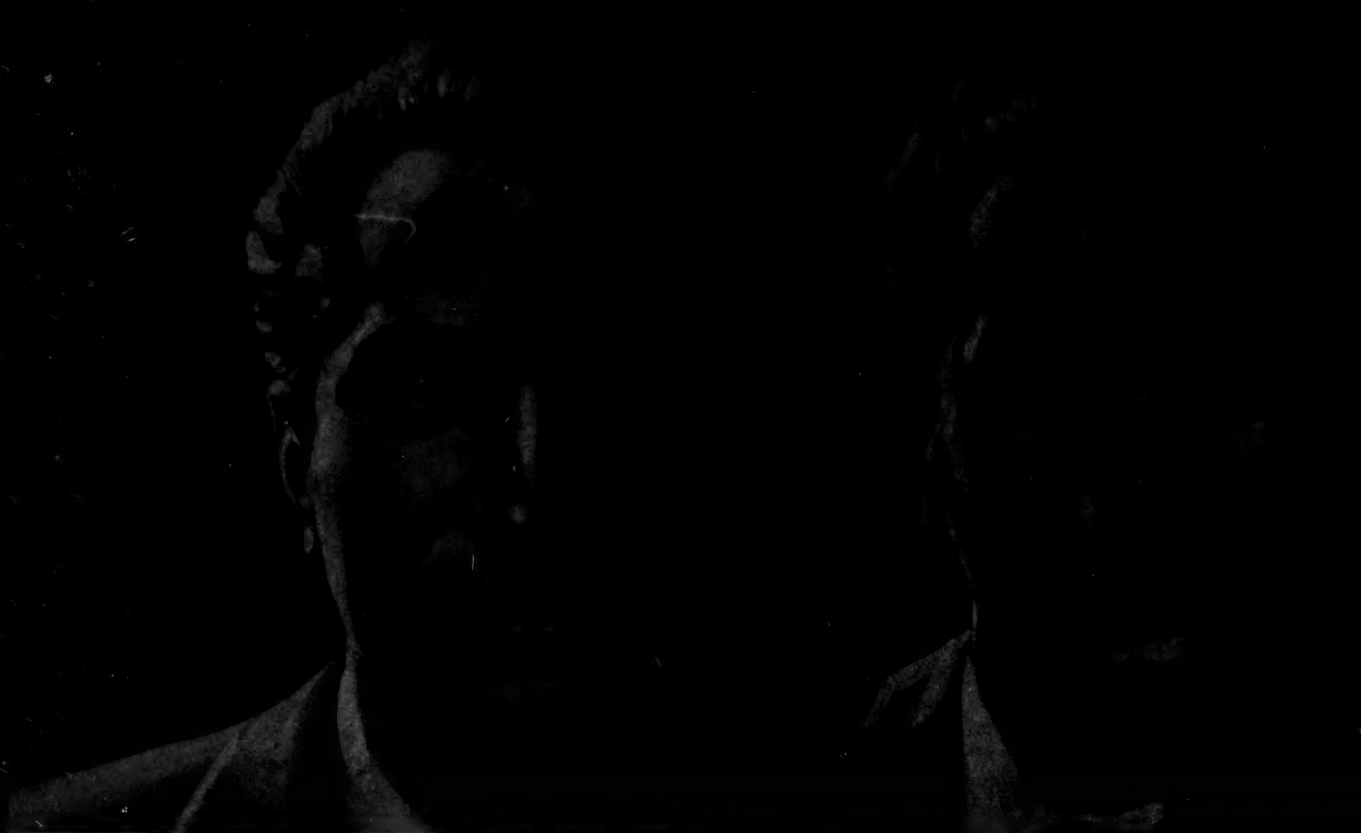
A government cannot confer freedom on its citizens. Rather, freedom exists only where individuals understand its requirements, work to achieve it, and fight to keep it once it's theirs.

The stakes are extremely high; will tomorrow find us men or robots?

For me I want to be a man,
I want to be the soul that I am,
I want to be a person as God meant me to be,
I want, under His guiding hand, just to be free.

Edward W. Dalhaus, Director
Young People's Activities
Illinois Agricultural Association, Chicago, in
"Christian Economics"
July 7, 1959





The **RAPE** *of the* **MIND***

ROLAND R. HEGSTAD

Scene I: A Military Court of Inquiry. An officer of the United States Marine Corps who was taken prisoner during the Korean War stands before the tribunal. While in captivity he signed a documented "confession" that the United States was carrying on bacteriological warfare against the enemy. Released, he repudiated his confession and described long months of imprisonment. He testifies:

"I was never convinced in my own mind that we in the First Marine Air Wing had used bug warfare. I knew we hadn't, but the rest of it was real to me—the conferences, the planes, and how they would go about their missions."

"The words were mine," the colonel continues, "but the thoughts were theirs. That is the hardest thing I have to explain: how a man can sit down and write something he knows is false, and yet to sense it, to feel it, to make it seem real."¹

Scene II: A Political Platform. A newly elected leader smoothly points out the benefits of state control, itemizes the dangers of "too much" freedom, casually dismisses minority rights, demands a law that would make human rights and freedoms dependent upon the benevolence of the state. And gets it, from 50 million robots who march forth with regimented tread from before 50 million television sets on the last election day held in the Land of the Once Free.

Two scenes: one real, one imaginary, but both stop-and-think lights to pedestrian citizens in Lands of the Now Free. For minds are being transformed into automatically re-



RUTH HARLAN, ARTIST

sponding machines, both by deliberate experiments in the cause of political ideology and by cultural cosmetics applied in the communication parlors of our conformist society.

For more than twenty-five years psychologists have known that the human mind can be manipulated. The 1933 trial of Marinus Van der Lubbe, accused of setting fire to the German Reichstag building, the Moscow purge trials of 1936-1938, the Nuremberg trials, the Korean War brainwashings of American prisoners—all added knowledge of what could be done to the mind to make men a little more like robots and a little less like sons of God. Brutal though the totalitarian brainwashing technique is, it has at least one virtue: it is obvious; men can be on guard against it. The conditioning forces operating in our society are not so easily seen, and their danger is magnified by the very fact of their subtlety. Consider their impact through three areas—the home, the school, and mass communications.

1. *The Home.* The home was intended to be a school in which were taught reverence for God, respect for others and their property, industry, integrity, discipline, and self-government. Though obedient to parents, children were to retain their individuality; they were to learn to reason from cause to effect; to be no mere thinkers of other men's

* *The Rape of the Mind*, by Joost A. M. Meerloo, M.D., The World Publishing Co., Cleveland and New York, 1956, \$5.00.

Free human minds can be strangely transformed into automatically responding machines, both by cultural undercurrents in our present-day society and by deliberate experiments in the service of political ideology. This is the message of Joost A. M. Meerloo's *The Rape of the Mind*, a disturbing chronicle of enforced mental intrusion. The reader may agree or disagree with Dr. Meerloo, but from the first chapter—"You Too Would Confess"—he can hardly take a detached view.

In its broad outlines, Meerloo's book moves from the specific subject of planned and deliberate mental coercion to the more general question of the influences in the modern world that tend to robotize and automatize man. The last chapters are devoted to the problems of growing a mental backbone as the first step in learning to maintain mental freedom.

Says the author, "All knowledge can be used either for good or for evil, and psychology is not immune to this general law. Psychology has delivered up to man new means of torture and intrusion into the mind. We must be more and more aware of what these methods and techniques are if we are successfully to fight them."

Dr. Meerloo is instructor in Psychiatry, Columbia University; lecturer in Social Psychology, New School for Social Research; Former Chief, Psychological Department, Netherlands Forces. He is the author of *Homo Militans*, *Total War and the Human Mind*, *The Two Faces of Man*.

thoughts. The warm love, the kindly conversation, the mellow tone of voice, the relaxing security, the steadiness of family habits—all were to contribute to the development of free men, men of independence and will power, men able to distinguish between despotism and democracy, between liberty and license.

Set against this picture many American homes of today and contrast the conditioning factors: there is a god in the house who can be reached on five channels and has an answer for everything, except between the hours of 2:00 and 7:00 P.M. There isn't much regard for people, but their property is "respected": "They got a new boat so we got one" (on the installment plan it's easy). So what if mother does have to work to help pay for things? Mary doesn't

mind getting her supper sandwich at the automat—she was weaned from a cold bottle. So what if liquor addiction, tranquilizer addiction, and TV addiction robotize family minds and neutralize family morals? Everybody is doing it, and what else eases anxiety, frustration, worry? And if harsh words, irritability, haste, disorganization, make their subtle contribution, have another cup of coffee and forget it; we only live once.

Delinquents? Robotized conformists? Followers of the crowd? No wonder!

2. *The School.* For fifty years now these tenets of teacher education have eroded man's ideals: there is no eternal truth; there is no absolute moral law; there is no

Turn to page 27

THOUGHTS ON FREEDOM

Joost A. M. Meerloo in *The Rape of the Mind*

The frontiers of freedom are anarchy and caprice on the one side, and regimentation and suffocation by rules on the other.

Democracy is nonconformity; it is mutual loyalty, even when we have to attack one another's ideas—ideas, which, because they are always human, are always incomplete.

The Pavlovian strategy in public relations has people conditioned more and more to ask themselves, "What do other people think?" As a result, a common delusion is created: people are incited to think what other people think, and thus public opinion may mushroom out into a mass prejudice.

When the United Nations has devised rules curtailing mendacity and psychologic intrusion, it will have ensured a human right as precious as physical existence, the right of the nonconforming free individual—the right to dissent, the right to be oneself. Tolerance of criticism and heresy is one of the conditions of freedom.

The mystery of freedom is the existence of that great love of freedom! Those who have tasted it will not waver.

Freedom can never be completely safeguarded by rules and laws. It is as much dependent on the courage, integrity, and responsibility of each of us as it is on these qualities in those who govern. Every trait in us and in our leaders which points to passive submission to mere power betrays democratic freedom. In our American system of democratic government, three different powerful branches serve to check each other, the executive, the legislative, and the judiciary. Yet when there is no will to prevent encroachment of the power of one by any of the others, this system of checks, too, can degenerate.

The freedom toward which democracy strives is not the romantic freedom of the adolescent dreams; it is one of mature stature. Democracy insists on sacrifices which are necessary to maintain freedom. It tries to combat the fears that attack men when they are faced with democracy's apparently unlimited freedom.

Since within each of us lie the seeds of both democracy and totalitarianism, the struggle between the democratic and the totalitarian attitude is fought repeatedly by each individual during his lifetime. His particular view of himself and of his fellow men will determine his political creed.

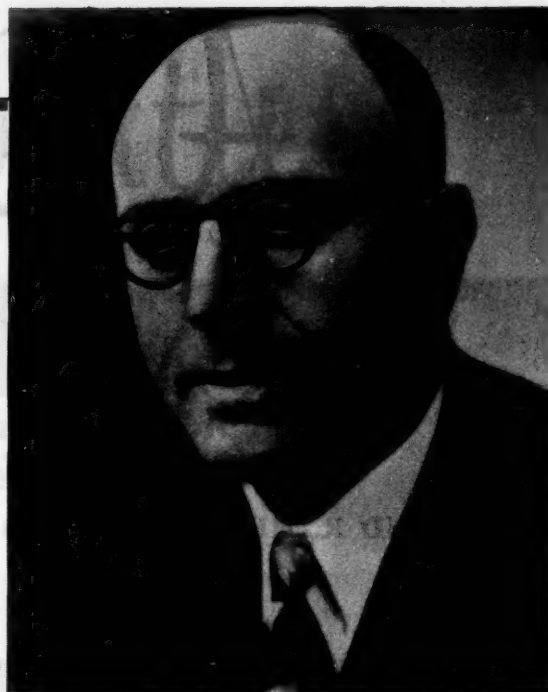
Freedom and planning present no essential contrasts. In order to let freedom grow, we have to plan our controls over the forces that limit freedom. Beyond this, we must have the passion and the inner freedom to prosecute those who abuse freedom. We must have the vitality to attack those who commit mental suicide and psychic murder through abuse of liberties, dragging down other persons in their wake. Suicidal submission is a kind of subversion from within; it is passive surrender to a mechanized world without personalities; it is the denial of personality. We must have the fervor to stand firmly for freedom of the individual, for mutual tolerance and dignity, and we must learn not to tolerate the destruction of these values.

Essentially, democracy means the right to develop yourself and not to be developed by others. Yet this right, like every other, has to be balanced by a duty. The right to develop yourself is impossible without the duty of giving your energy and attention to the development of others. Democracy is rooted not only in the personal rights of the common man, but even more in the personal interests and responsibilities of the common man.

DR. LEO PFEFFER

A Distinguished Constitutional Lawyer Says . . .

Sunday Laws *are* RELIGIOUS LAWS



"What is essentially a religious law cannot be made a secular or civil law simply by calling it such."

Most Americans still spell *freedom* f-r-e-e-d-o-m and *liberty* l-i-b-e-r-t-y; but in certain legal circles men concerned with constitutional law are beginning to spell them Leo Pfeffer. An incisive thinker and clear writer, Dr. Pfeffer is author of the monumental *Church, State, and Freedom, Liberties of an American* (The Beacon Press, Boston), and *Credo in Competition* (Harper and Brothers). National director of the American Jewish Congress Commission on Law and Social Action, he has presented many briefs and has appeared before the United States Supreme Court in cases involving church and state. The first of three installments, "Sunday Laws Are Religious Laws," is a section of the brief presented by Dr. Pfeffer before the Massachusetts Supreme Court in the Crown Kasher case.—EDITORS.

IT IS ONLY in recent years, particularly since recognition that the First Amendment's ban on laws respecting an establishment of religion or prohibiting its free exercise is applicable to the States, that there has been an effort to justify compulsory Sunday laws as welfare rather than religious statutes. The theory is that Sunday laws have divorced themselves from their religious origin and that they have now be-

come purely secular laws, enacted under the police power of the State to ensure at least one day's rest in seven. This justification was first expressed in *Com. v. Has*, 122 Mass. 40, in the following language:

It [the Sunday law] is essentially a civil regulation, providing for a fixed period of rest in the business, the ordinary avocations and the amusements of the community. If there is to be such a cessation from labor and amusement, some one day must be selected for the purpose; and even if the day thus selected is chosen because a great majority of the people celebrate it as a day of peculiar sanctity, the legislative authority to provide for its observance is derived from its general authority to regulate the business of the community and to provide for its moral and physical welfare. The act imposes upon no one any religious ceremony or attendance upon any form of worship; any one who deems another day more suitable for rest or worship may devote that day to the religious observance which he deems appropriate. That one who conscientiously observes the seventh day of the week may also be compelled to abstain from business of the kind forbidden on

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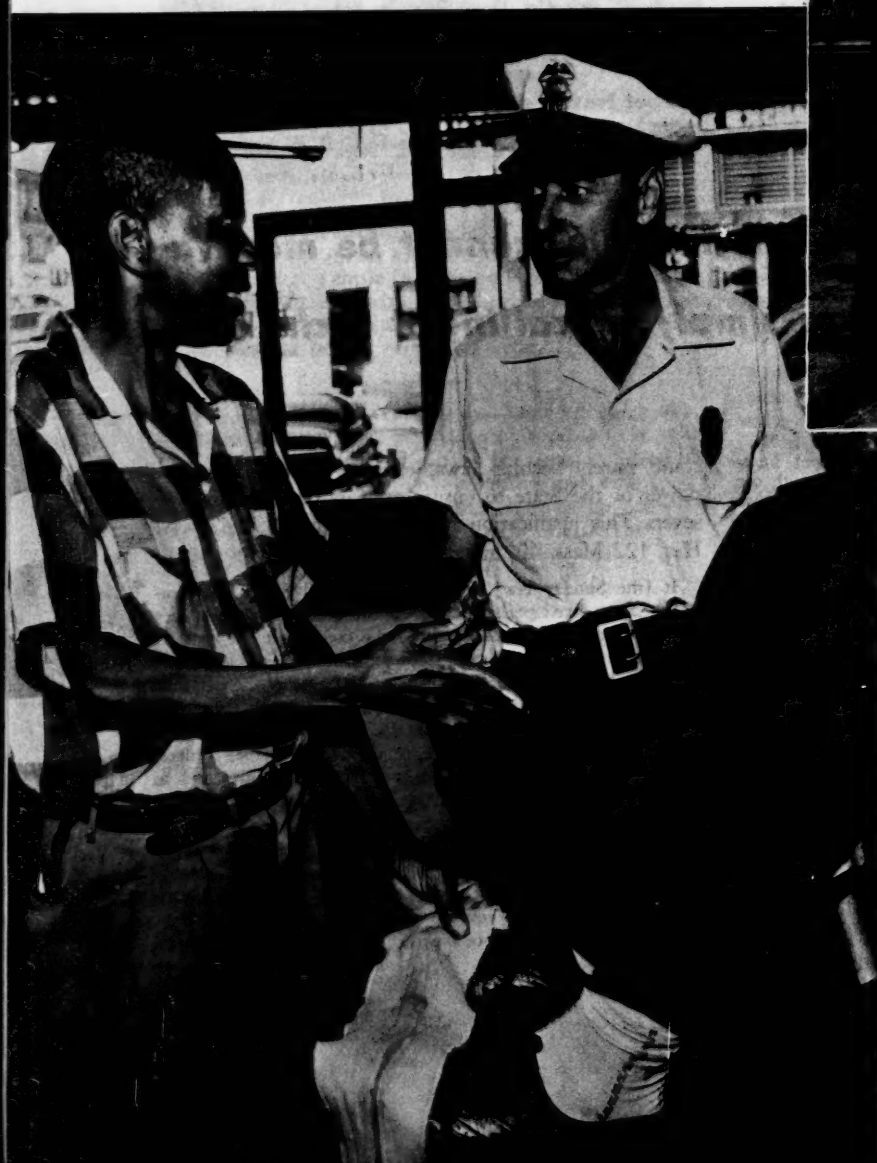
A Street Cal



ROLAND R. HEGSTAD



PHOTOS, B&B STUDIO



Even the bootblacks had a rough time following Spartanburg's Sunday blue law referendum. But after three weeks, County Sheriff B. B. Brockman abandoned his attempt to enforce the working-on-Sunday section of the blue laws, fine \$1.00, and returned to his old system of enforcing only the law against amusements, fine \$50. Ironically, it was the work law which received most support in the referendum.

alled Liberty

Staff members of LIBERTY magazine investigating the Sunday blue law referendum vote in Spartanburg, South Carolina, discovered:

1. The majority of citizens in both city and county were at the time of the referendum and are today in favor of no, or drastically revised, Sunday laws.
2. Public spathy and public hypocrisy played decisive parts in the referendum results.
3. Confusion and arrests following the referendum cost the Sunday law many of its supporters.
4. No law can be successfully enforced without general public acceptance, approval, and support.

IN SPARTANBURG, SOUTH CAROLINA, there is a street called Liberty. One block away is a street called Church. Since they run parallel, one does not cross the other. The lessons that could be drawn from this relationship seem to have escaped the voters of Spartanburg County, who in an advisory Sunday law referendum held Tuesday, July 14, 1959, got their duties to the church sadly confused with their duties as citizens in a free nation.

It all began when theater owners of Spartanburg, who had been kept from opening under Section 64-1 of the State blue laws, insisted that the laws be enforced without discrimination. Other entertainment media were operating: County fish ponds did a thriving business, miniature golf courses opened to big crowds. Drugstores illegally sold ice cream, soft drinks, cigars, and cigarettes; small grocery stores and open-air markets sold their produce. Although the State supreme court had ruled specifically that service stations could not sell gasoline or oil, few had closed their doors.

Faced with an impossible enforcement situation, Solicitor J. Allen Lambright and County Sheriff B. B. Brockman asked for a referendum to determine the thinking of Spartanburg County citizens on enforcement of local and State Sunday laws. The referendum would have no legal status. The authorities were simply to be guided by the vote. And, in a sense, Spartanburg

was to be a straw in the wind for all South Carolina, a straw to be studied by the legislators with an eye to the next General Assembly and the wishes of "the people."

The people were asked to vote on three questions:

1. Did they favor repeal of a general statute prohibiting various amusements, sports, and entertainments on Sunday?
2. Did they favor repeal of laws prohibiting ordinary work on Sundays?
3. Did they favor amending present laws to allow limited amusements such as movies during nonchurch hours?

Battle lines for the referendum were drawn on religious grounds; no one was arguing that the State blue law constituted "social legislation"—a bit of semantic subterfuge often used in areas above the Bible belt where knowledge of the First Amendment causes a few patriotic pangs. The issue was whether the "Lord's day" should be "desecrated." Demanding "strict enforcement" of the "Sabbath," the Aiken, South Carolina, *Standard and Review* said: "Recent cases of arrests and open violation of South Carolina's so-called blue laws" point up "the need of man-made laws in order to force, if it should be necessary, men to keep God's laws by observing the Sabbath as He commanded." A letter signed by three members of Spartanburg pastors' organizations stressed the "serious implications" involved in

"the pending actions" in connection with the "so-called blue law," and spoke of the "spiritual and moral" welfare involved.

The only organized opposition against the blue laws came from the Junior Chamber of Commerce (Jaycees), who based their opposition on the impossibility of enforcing them completely and impartially. A spokesman for them declared:

We believe that no law should exist which is partially enforced and partially not enforced. We do not believe that impractical laws should require an officer of this county to decide against whom they shall be applied, and who shall have the privilege of transgressing the laws as they are written. The Jaycees support and encourage respect and reverence on Sunday. We think this should be achieved through individual conviction and spirituality; not through unrealistic laws which breed contempt for full and fair law enforcement.

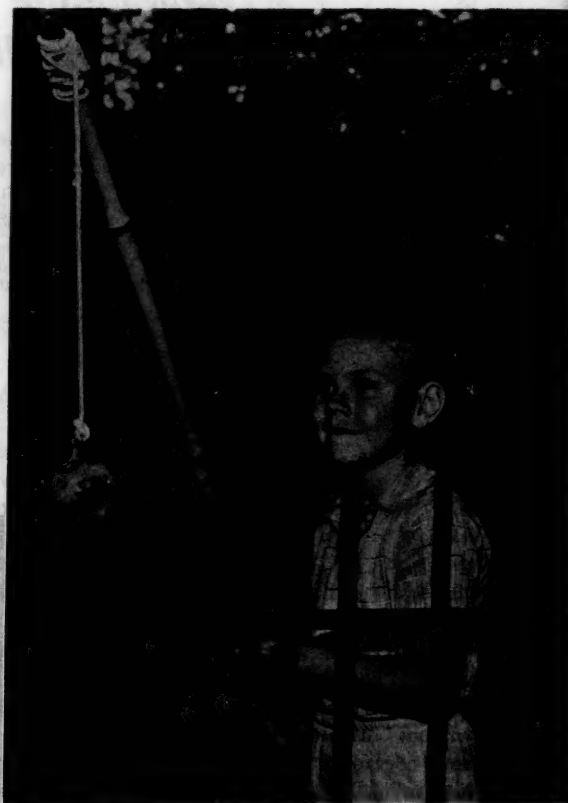
Newspapers of Spartanburg—the *Journal* (cir. 10,887), the *Herald* (cir. 37,875), as well as radio and TV outlets, pursued an officially neutral course in the controversy, insisting editorially only that people should know what they were voting for, and that hypocrisy should not determine the vote—if a man watched Sunday movies on TV, he should not vote against Sunday movies for those who wanted to go to a theater to see them. However, on their positioning of articles and emphasis, the newspapers could be called cautiously anti-Sunday law.

This, then, was the setting as the county prepared to vote: on the one side were theater owners, small businessmen, Jaycees; arrayed against them were the clergy.

On July 13 the local newspapers printed sample ballots. A *Herald-Journal* straw vote "indicated a small

majority favors repeal of the blue laws and a larger majority favor operation of movies, swimming, golf and other activities when not in conflict with church service hours." The Kohler firm, in operation for a year, made it known that it would not consider expansion of its 12-million-dollar plant unless assured of a 7-day-week operation of its furnaces. Local politicians predicted a vote of between 15,000 and 20,000, compared with the 26,000 county vote in the first and second Democratic primaries of 1958.

Total vote in the referendum was 11,910. Voting on the first question was 3 to 2 against repeal (7,234 to 4,660); almost 2 to 1 against repeal on the second (7,335 to 4,380); and closer on the third (6,798 to 5,112). City precincts by a narrow margin voted against



↑ Stanley Ellison may have been baiting bear, or then again, he may not; few Spartan citizens knew what South Carolina's blue law writers had in mind when they made baiting bear on Sunday illegal. (See page 30.)

← Trouble in Spartanburg began when theater owners, who had been forced to close on Sunday, threatened to open their theaters if the law against other amusements was not enforced.



STRAWS

in the Spartanburg Wind

A Cross Section of Front-Door Comments on the
Blue-Law Referendum

"If I were a preacher, I would be ashamed to think I forced a man to go to church."—Textile worker.

"I believe everything should be wide open."—Painter, Presbyterian.

"I don't believe everything should be wide open."—Teacher, Baptist.

"You can't force people to be good."—Laborer.

"Other States where I have been do not have Sunday laws. I don't like them."—Professional worker, Baptist.

"I believe in religious freedom, but not as interpreted by this legislature."—Attorney.

"All should be allowed to worship on the day of their choice."—Farmer.

"I believe people should keep the Sabbath holy. People rest in different ways."—Secretary, Baptist.

"I worked with a Seventh-day Adventist who was an excellent worker. He wouldn't work on Saturday under any circumstances, but he would work on any Sunday you called him. Most, or at least 60 per cent, of the Saturday work paid time and a half, which this fellow lost, and it was quite a loss."—Electrician, Baptist.

"I was confused on this issue. I didn't know how to vote."—Housewife, Presbyterian.

"I'm against anything that takes away religious freedom."—Employee, Lutheran.

"I don't believe there should be Sunday movies."—Music teacher, Church of the Open Door.

"I believe that Sunday legislation has held back growth of Spartanburg."—Housewife, Methodist.

"They are ridiculous, and you may quote me."—Post office clerk, Presbyterian.

"If a man picks a day to rest, he should be allowed to pick the day he wants."—Farmer, no church.

"All people should keep Sunday."—Farmer.

"I think all people should keep the Lord's day, which is Sunday."—Housewife, Missionary Baptist.

"Why do they want to force people to go to church?"—Welder, no church.

"I believe in freedom of religion. Everyone has the right to worship or do as he pleases as long as he doesn't break laws, and no one should be forced to keep any day. That is part of our religious right."—Attorney, Baptist.

Sunday laws; county precincts by generally heavy margins voted for them.

Results seemed to speak clearly. Majorities said:

1. They want Sunday observance laws retained with regard to amusements.

2. They want the section of Sunday laws preventing work retained.

3. They do not want these laws modified to permit amusements and entertainment not in conflict with church hours.

"But is that exactly what is wanted?" the *Journal* asked plaintively. "No one can provide a sure answer to that question and for that reason the confusion which has ruled here now for many weeks is very likely to get worse before it gets any better." Even the Reverend Fred Dabney, recognized leader of the forces wanting Sunday laws retained, seemed to have his doubts as to what had been settled: "I hope that in the near future an up-to-date bill can be offered in Spartanburg County and the state. On this bill I believe the people will vote overwhelmingly to up-date laws to fit the twentieth century."

"But the difficulty," editorialized the *Journal* in response, "is that no one has defined in exact terms what and how much up-dating should be done. And until this is done, the confusion which existed prior to the referendum is very likely to continue and it could increase."

Increase it did. On the first Sunday after "the people" had spoken, nearly 400 citations were issued for violations of blue laws. County police reported 283 cases were made in 149 places of business, and city police reported 100 citations, the bulk of which were for violating the South Carolina law against working on Sundays. With one exception, all Spartanburg drugstores were reported open for business, along with curb markets, ice cream bars, peanut vendors, and a china shop, also numerous gasoline service stations throughout the city and county. Only ten persons were booked at city jail on non-Sunday law charges compared with 45 ar-

rested by county officers the previous Sunday. So absorbed were the police with the Sunday law turmoil that the Monday recorder's court had a total of only 30 defendants, where the Monday court normally had 50 to 100.

The second Sunday 237 persons were charged in the county. The lone patrolman assigned to city Sunday law violations arrested 59. The attorney general ruled that workers following normal pursuits on Sunday could be arrested only once during the day, even though the workers should continue to work. One electric company, which had three employees working, called city police and informed them of the fact. They paid their fines. Several boys scaled the fence of the State-operated Camp Croft swimming pool for an illegal dip. On July 26 a representative of the State Forestry Commission announced that the pool had been drained to prevent "bootleg swimming and possible accidents." Other State-operated pools outside Spartanburg County remained open.

On August 2 police ran their arrests total over the 1,000 mark. Two magistrates said they were overworked. "It costs the taxpayers \$25 to collect \$1" in a jury trial disposition on anti-Sunday work law violation cases, said County Civil Judge Ralph Mitchell. Sheriff Brockman said enforcement "took every available man" on his force. Drive-in Operator Claude Rumley opened the Fox Theater to an overflow crowd.

What Has Happened to CHURCH Discipline?

"To insist that a City Council, a Legislature or a Congress provide rigid rules for Sabbath observance is to demand that government enforce Christian discipline with a policeman's club—a development the founding forefathers wisely sought to prohibit by providing that affairs of church and state be kept forever separate. . . .

"Christian discipline is the responsibility of the church and its membership. If more and more members defy a denomination's rules for Sabbath observance, where lies the blame? What has happened to the practice of 'reading out of church' those who, in eyes of their church, violate the Sabbath? And if all who defy the outmoded 'blue laws' are read out, how many will be left on the church rolls?

"An overwhelming majority of South Carolinians profess the Christian faith. It follows that if it were firmly demanded that each practice what he or she professes, or else risk church discipline, the question of Sunday amusements and business would become academic, for there would be too few customers."

From an editorial in the Anderson (South Carolina) *Independent*, Aug. 5, 1959

Theaters in Greenville, Darlington, Hartsville, Lancaster, Gaffney, Rock Hill, and Easley operated on Sunday without arrests.

On August 3 the city council of Spartanburg met. Citing the majority in the city who favored repeal of the blue laws, they wiped from the books a stiff city ordinance—\$100 fine or 30 days in jail—prohibiting working on Sunday. Amid comments of "absurd," "silly," "unenforceable," City Manager Lott Rogers was instructed to inform County Sheriff Brockman that the city would no longer attempt to enforce the working-on-Sunday section of the blue laws.

On August 6 Sheriff Brockman abandoned his three-week-old enforcement of Sunday work laws, fine \$1.00, and returned to his old system of enforcing only the law against amusements, fine \$50. Ironically, the law he chose to abandon was the one which received most support in the referendum. In addition, because of the city council's repeal of the city blue laws, he was put in the position of enforcing the laws where the people voted against them, while giving less attention to them in the county where voters favored strict enforcement.

The sheriff's decision made him not only the enforcer of the State blue law but also its interpreter. Magistrates questioned the sheriff's authority to make such a decree. He "doesn't make the law," said one. "The law is still on the books, and I will continue to try any persons brought before me," said another. Demanding that the State Assembly recognize the Sunday law problem to be a State issue and face up to its responsibilities to bring order out of chaos, the *Herald* declared, "The Blue Law controversy has gone full cycle."

On August 13, concerned by the county vote and the apparent indifference to principles of religious liberty involved, staff members of LIBERTY magazine went to Spartanburg. They talked to editors, lawyers, radio personnel, theater owners, pastors, doctors, Jaycees, service-station operators, members of the city council, police. They interviewed a number who had been arrested for Sunday law violations, and on August 15, aided by local help, took a comprehensive fact-finding survey of 183 citizens, representing a cross section of occupation and income, in city and county. Among those interviewed were 100 Baptists, 36 Methodists, 18 Presbyterians, and a scattering of those of Episcopal, Lutheran, Church of Christ, Church of the Open Door, Greek Orthodox, Roman Catholic, and Church of God affiliation. Seventeen refused to disclose their church affiliation, five belonged to no church.

On the basis of the interviews and survey, four conclusions became evident:

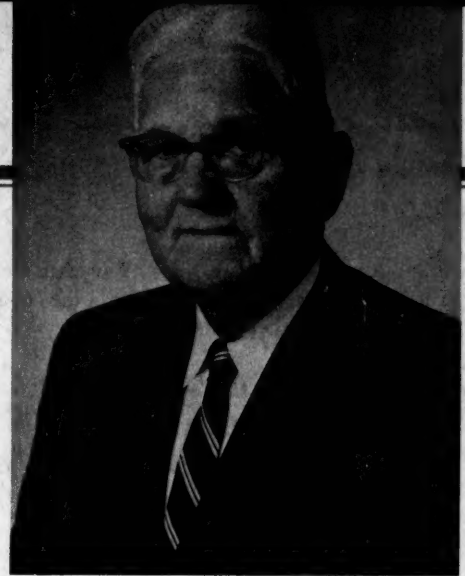
1. The majority of citizens in Spartanburg city and county were at the time of the referendum and are today in favor of no, or drastically revised, Sunday laws. Balloted at the door on the three issues, Spartanburg citizens responded:

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With **W. Y. Henderson—**

*One preacher who
stood up and was
counted—on the
side of freedom*



The **IRON HAND** *of* **STATE AUTHORITY**

W. Y. Henderson is a retired Baptist minister with a record of 47½ years service in the cause of God. Almost alone among the clergy of Spartanburg, South Carolina, he spoke out against Sunday blue laws. Here he gives his reasons in an interview with W. Melvin Adams, associate editor of *Liberty* magazine.

Q. Mr. Henderson, do you believe in Sunday observance?

A. Yes, I believe a man should go to church on Sunday—but only if he chooses to. I don't believe all roads somewhere else should be blocked so he has nowhere else to go.

Q. What position did you take regarding South Carolina's blue laws?

A. I opposed them. I felt that they should be wiped off the books. If we have a law at all, it should be simple, practical, and provide exemptions for those who worship on another day. There are millions of Jews, Seventh Day Baptists, and Seventh-day Adventists in this country who worship God on the seventh-day Sabbath. In addition there are 75 million people in the United States who don't subscribe to any man's religion, and their rights should be respected. Every man should wear his sovereignty under his own hat when it comes to worshipping God.

Q. I understand that your position on Sunday laws was not in harmony with that taken by most of your fellow clergymen.

A. That's right. However, a great many of our young ministers here favor the position I took, but they are not in a position to speak out. In several church communities if the minister had said, "Let's abolish these laws," he would have lost his pulpit.

Q. In some places, Mr. Henderson, Sunday laws are said to be social legislation rather than religious laws. Was the referendum fought out here on religious grounds?

A. Yes. We were told that if we didn't support the blue laws, everything would be as wide open as hell. One preacher had a special prayer meeting on Monday night before the referendum, to exhort God to save the Lord's day. A large segment of the clergy worked hard to get out the vote for Sunday laws. One of the cheapest things that was done was this: We have 176 ministers

"Evil Monday, Evil Sunday"

here in our ministers' conference; 19 of that total—the executive committee—put a statement in the *Herald* that committed all the other ministers.

Q. And were all the other ministers actually against doing away with Sunday laws?

A. Not at all, though as I said, many were not in a position to speak out.

Q. Why was the referendum lost in Spartanburg, Mr. Henderson?

A. Well, it wasn't in the city. The people here voted against blue laws. But the county vote was much stronger for them. A number of people said to me, "I didn't vote, because I didn't know what the issues really were." Some who voted told me that they didn't understand what they did vote for.

As I see it, the issue in the Spartanburg referendum was not the jots and tittles of swimming or playing marbles. The central issue at stake is bound up in one single principle: Shall the iron hand of state authority chop up the hours of Sunday and control the individual uses of the time packages and have policemen guarding every road except the one leading to the church?

In matters where religious freedom and conscience are involved, the first link in the chain of state authority is to deny the individual certain rightful privileges. The second is to demand submission and obedience to state authority in the sacred realm of conscience.

Q. I understand that you went on TV to discuss "The Autocratic Influence of Religion" with a fellow Baptist minister, Mr. Fred Dabney, just before the referendum. Can you tell us what your position was?

A. I told Mr. Dabney and the television audience that I believe the New Testament church is our finest institution and the New Testament is our best book. I don't believe we ought to have a law controlling a man's Sunday behavior unless a serious moral question is involved. I believe a thing that is a moral evil one day is a moral evil on another. Anyone who will seek excessive gain for services rendered on Monday will be a contemptible chiseler on Sunday. If he will lie on Sunday, he will be a liar on any day of the week. There has never been a law to save a man's soul. People should be religious voluntarily; they shouldn't be coerced. The conscience should be left free from state authority. ★★



1885

Seventy-five years ago

BEFORE BOLSHEVISM.—The great Moscow Cathedral, lately completed, has cost more than \$11 million and will accommodate 10,000 worshipers. It is said to be one of the most remarkable churches in Europe.

1910

Fifty years ago

SUNDAY BILL.—The Johnson District of Columbia Sunday Bill (S.404), defeated two years ago, passed its third reading in the Senate, January 27, and was reported to the House the next day.

1925

Thirty-five years ago

BIGOTRY'S BROOM.—Two school measures that would mean the closing of private schools up to the eighth grade were ignominiously defeated at the polls in Washington and Michigan. These two measures were similar in character and were supported by men and women whose intention was to close the parochial schools of the Roman Catholic Church. So determined were they to accomplish this purpose that they included private schools of all other denominations in this sweeping effort.

1940

Twenty years ago

A PRESIDENT'S PRECEDENT.—Shocked Protestants bombarded the White House with complaints about the appointment of Myron C. Taylor as personal representative of the President to the Vatican. Editorial opinion called President F. D. Roosevelt's action "an unqualified innovation in American policy, which has placed the Roman Catholic Church in a privileged position."

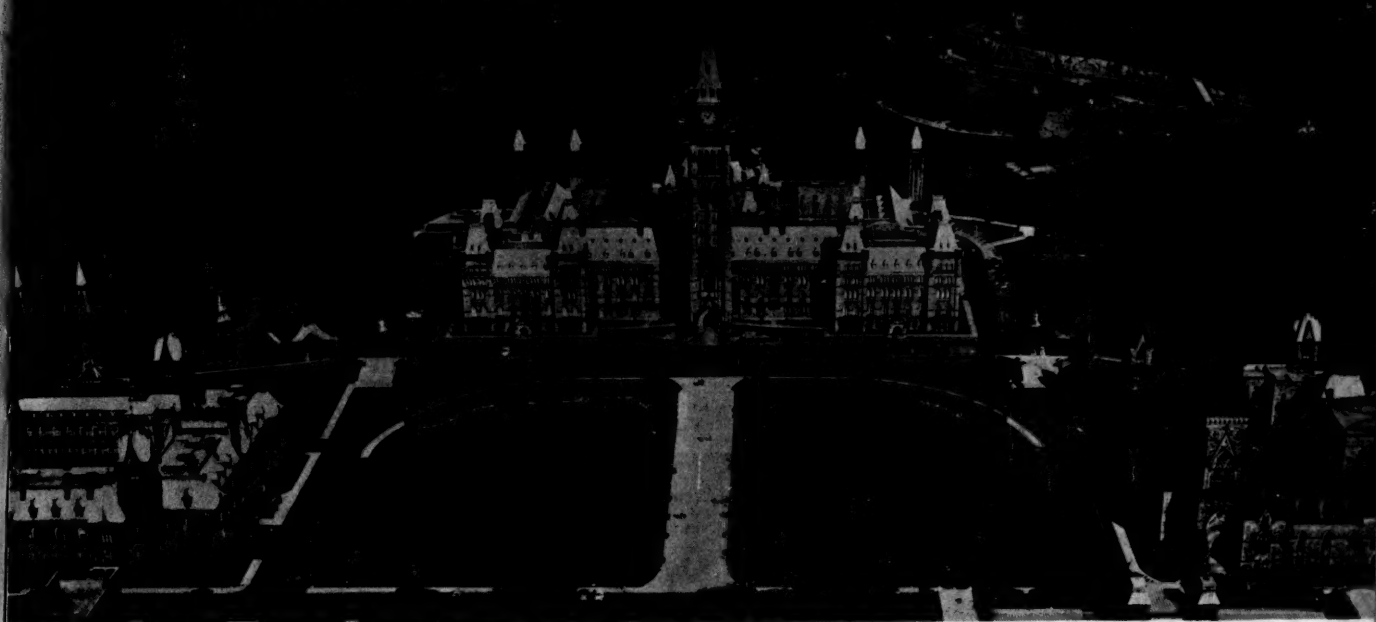
1950

Ten years ago

PAPAL BULL.—"During this year of expiation, to all the faithful who duly confess their sins in the Sacrament of Penance, who receive Holy Communion and visit once on that day, or on different days, in the order of their choice the basilicas of St. John Lateran, St. Peter's in the Vatican, St. Paul on the Ostian Way, and St. Mary Major on the Esquiline, and recite in each basilica three times the 'Our Father,' 'Hail Mary,' and 'Glory be to the Father,' and as well one 'Our Father,' 'Hail Mary,' and 'Glory be to the Father,' for our intentions, and will add in each basilica a 'Credo,' We grant and bestow in the Lord the full indulgence and pardon of all punishment due for sins."—Pope Pius XII, in his 1-300-word papal bull proclaiming the Holy Year.

LIBERTY, 1960

JUANNE REVERT



Parliament Hill, Ottawa, Ontario, Canada.

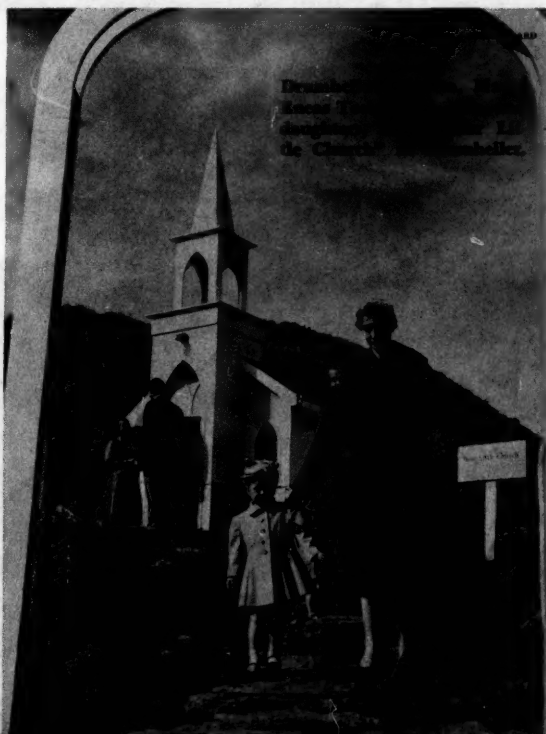
NATIONAL FILM BOARD

"O Canada!"

FROM SHORE TO SHORE, whether they sing "O Canada! Glorious and free!" or "O Canada, terre de nos aïeux," the peoples of the great Dominion of Canada are bound by a tie so deep that it is indestructible—their love for their country. And that is why, together they can say, "We stand on guard for thee." For the land where our eyes were opened to the bright sunshine, where we started our life, and where our roots began to spread is the one possession that we really own, and it is precious to us. To safeguard the freedoms of their country, men have gone to war and given their life. Often they have done so with a song on their lips—the song that spoke of their native land and what it stood for. Poetry and music are the two great voices that every man hears and understands, and we are indeed indebted to the poets and musicians who have given us the great freedom anthems, of which "O Canada!" is a beautiful example.

Someone remarked that one of the features of Canadian life that may have puzzled the Queen during her "getting-to-know-the-people" tour last summer is the inability of Canadians to agree on either a national flag or a national anthem. Three national songs are favorites in Canada: "The Maple Leaf," "God Save the

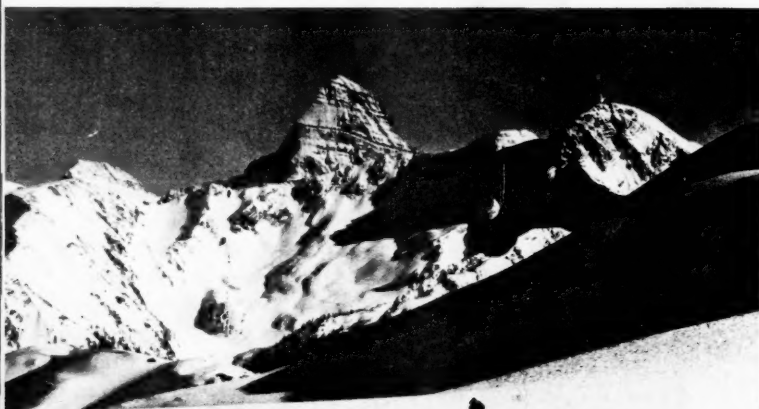
Queen," and "O Canada!" However, a recent poll showed that 67 per cent of those asked thought that "O Canada!" was the most suitable choice for a national anthem.





NATIONAL FILM BOARD PHOTO

CANADIAN GOVERNMENT TRAVEL BUREAU



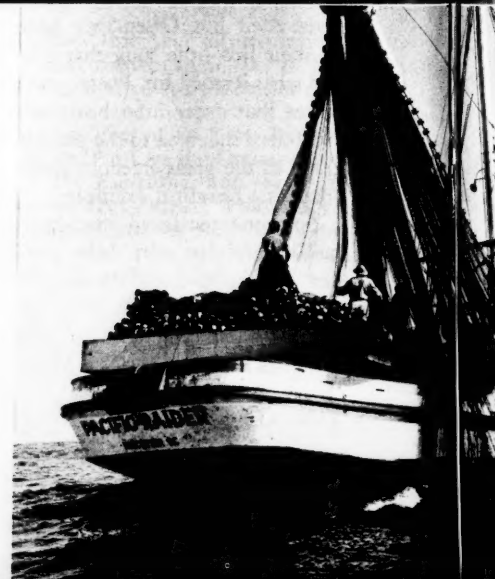
CANADIAN PACIFIC



CANADIAN PACIFIC

O Canada!
Our home and native land!
True patriot love in all thy sons command.
With glowing hearts we see thee rise
The True North strong and free;
And stand on guard, O Canada,
We stand on guard for thee.

O Canada!
Beneath thy shining skies
May stalwart sons and gentle maidens rise
To keep thee steadfast thro' the years
From east to western sea,
Our own beloved land,
Our True North strong and free!





NATIONAL FILM BOARD PHOTO



NATIONAL FILM BOARD PHOTO

O Canada!

Where pines and maples grow.
Great prairies spread and lordly rivers flow.
How dear to us thy broad domain,
From east to western sea!
Thou land of hope for all who toil!
Thou True North strong and free.

Ruler supreme

Who hearest humble prayer,
Hold our Dominion in Thy loving care.
Help us to find, O God, in Thee
A lasting rich reward,
As waiting for the better day,
We ever stand on guard.



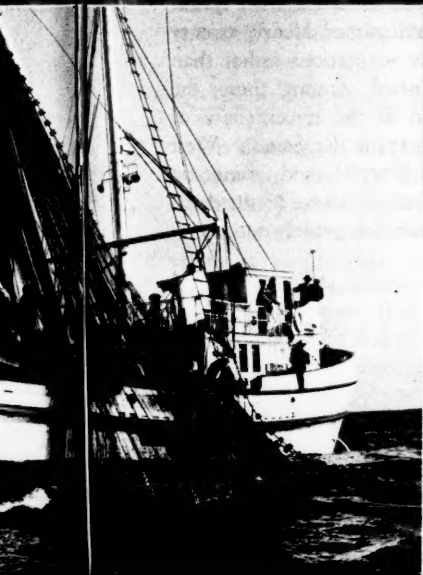
CANADIAN PACIFIC



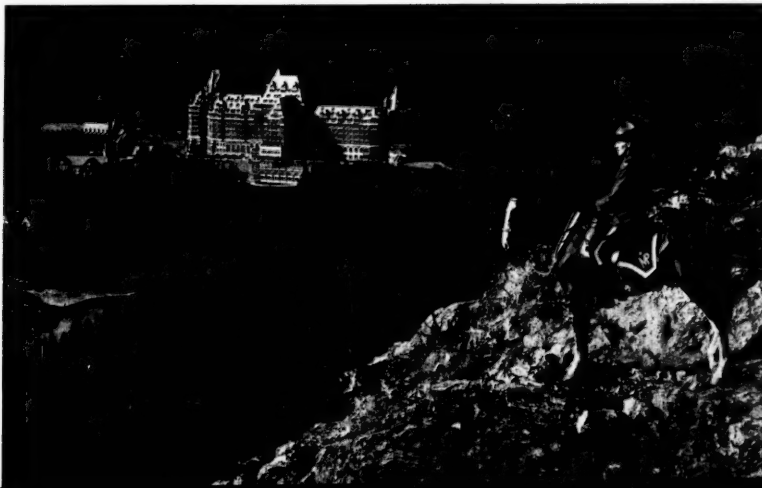
BRITISH COLUMBIA GOVERNMENT PHOTO

O Canada!
Glorious and free!
We stand on guard, we stand on guard for thee.
O Canada!
We stand on guard for thee.

—R. Stanley Weir



NATIONAL FILM BOARD PHOTO



CANADIAN PACIFIC

→ The House of Commons during the second session of the twenty-fourth Parliament of Canada.

↓ The women sit apart from the men during church services at Baker Lake, at the west end of Chesterfield Inlet on Hudson Bay. Seven whites and twenty-five Eskimos live at the tiny settlement.



NATIONAL FILM BOARD

The music of "O Canada!" was written by Calixa Lavallée, a native of Verchères (province of Quebec), who had a wide musical training but received little encouragement from his country—so little in fact, that he finally became a resident of the United States.

One night during the winter of 1880, heavily indebted and sick in bed, Lavallée received a visitor who came to him with a request: would he donate a song to the St. Jean Baptiste Society, French Canada's patri-

otic organization? They already had the words—a stirring poem written by Judge Adolphe Routhier of Quebec. The poem was "O Canada!" and was, of course, written in French. It was a song of faith in the land, and it praised the courage of the people in the face of adversity.

Despite his disappointments, Lavallée loved his country very dearly. Born near Montreal less than a century after French rule had ended, he knew what it meant to have one's country divided. His father, a blacksmith, had forged weapons for the rebels of 1837; his relatives had fought to preserve their racial heritage. As a boy he had heard the stories telling of the bravery of executed rebels. Taking Judge Routhier's poem from his visitor's hand, Lavallée read it through. Quickly forgetting his sickness and his personal griefs, he sat down at his piano and worked. Three friends remained with him until "O Canada!" was finished, fourteen days later.

The gripping music was intended to be first heard during an open-air Mass on the Plains of Abraham. Some of Lavallée's friends, on learning that this plan might be changed, hastily recruited a hundred trumpets and other brass instruments, and "O Canada!" was first played at a banquet in the skating pavilion in Quebec City, a day ahead of the religious service. French speaking Canada received it with enthusiasm. Nearly twenty versions in English (which are adaptations rather than translations) have been published. Among these, the words written on the occasion of the tercentenary of Quebec in 1908 by the Honorable R. Stanley Weir (1856-1926)—recorder of Montreal and sometime judge of Exchequer Court of Canada—have attained the most general acceptance and are now widely sung.

*O Canada! Beneath thy shining skies
May stalwart sons and gentle maidens rise
To keep thee steadfast through the years
From east to western sea.*

LIBERTY, 1960

NATIONAL FILM BOARD



Modern Trends in RELIGIOUS FREEDOM

*From the United Nations Subcommission on Human Rights Draft
Report on Religious Discrimination Prepared by Special Rapporteur
Part IV*

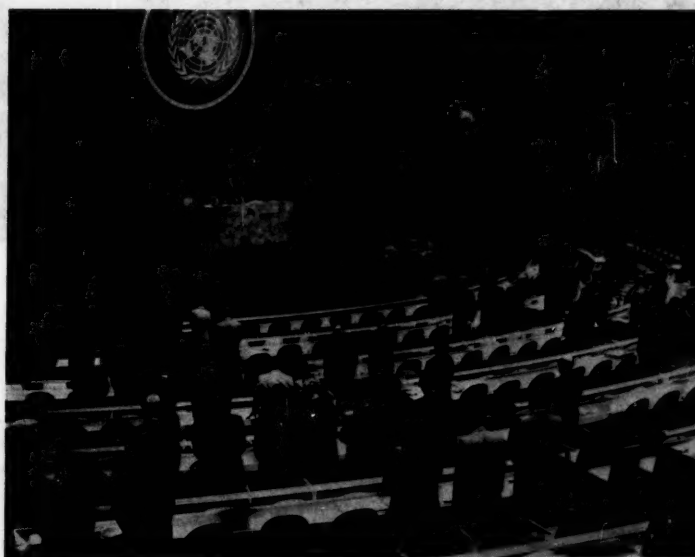
ARCOT KRISHNASWAMI

ATTITUDES OF MAJORITY GROUPS toward minorities are cause for concern in many areas of the world. Especially is this true where a dominant religious group is confronted by an aggressively evangelistic minority whose proselytizing is considered dangerous to the larger body. Trends toward a greater measure of toleration are encouraging; trends toward more restrictive measures against so-called heretical faiths by the dominant church or churches within a state are ominous.

Contemporary Islamic society has been influenced by a trend toward toleration in recent years. Freedom of the individual has been emphasized rather than that of the group. Modern interpretations of the Koran partake of "the spirit of social democracy." The 1956 edition of the *Encyclopaedia Britannica* indicates that new writers of Islam do not sanction intolerance or at least declare that the Koran does not sanction intolerance. The World Jewish Congress in February, 1957, restated the traditional doctrine of "Israel's fundamental teaching to humanity, the reality of universal brother-

On December 6, 1953, the late Pope Pius XII, addressing the National Convention of Italian Catholic Jurists, declared that the idea that "religious and moral error must always be impeded, when it is possible, because toleration of them is in itself immoral, is not valid absolutely and unconditionally."

JANUARY-FEBRUARY



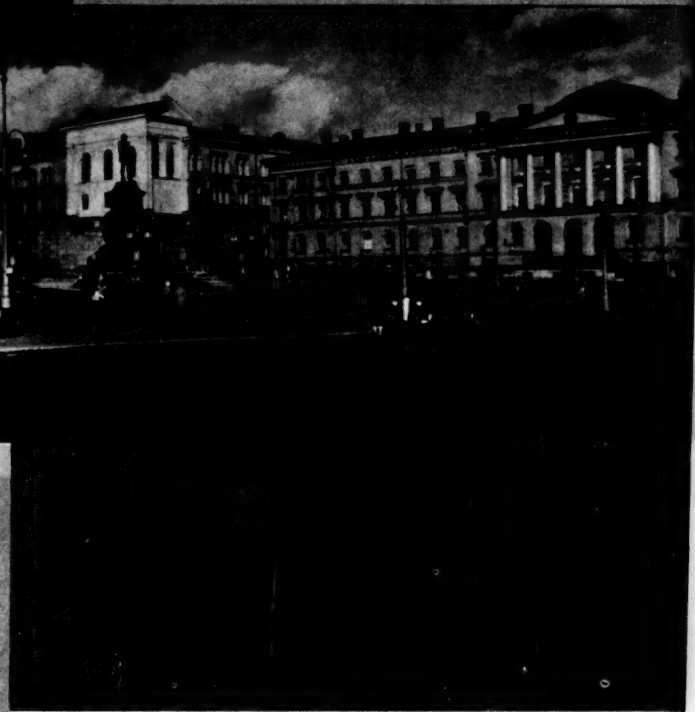
U.N. General Assembly delegates observe minute of silent prayer.

hood." Similar assertions are to be found among the writers and the authoritative statements of other religious communions. "In brief, there is a trend toward equality of treatment of individuals without regard to whether they belong to a certain Church or religion or whether they are agnostics or atheists."¹

It has been assumed in many countries, according to the report, that "the separation of State from religion assures a greater totality of freedom both for the vari-

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Religious



WHEN FINLAND BECAME an independent state, there was placed in its Constitution in 1919 the guarantee that citizens of the country should possess the right, both publicly and privately, to practice the religion of their choice and also the right to change from one religious belief to another. According to the Constitution the privileges and obligations of the Finnish people are the same for all, whether they belong to a religious denomination or not. Specific clauses dealing with religious liberty and its practical application were embodied in a special religious liberty law of 1922.

This religious liberty law had the effect of placing all denominations in the same category. In comparison with the previous prevailing circumstances this represented a marked improvement. In practice, however, there remained some special privileges for the Evangelical Lutheran Church, which is the predominant religion in Finland. Religious teaching in the schools is according to the Lutheran doctrine. A child whose parents are of

s Liberty Problems

IN FINLAND

By **USKO WAISMAA**

another denomination may be released from religious instruction if it is so desired. Because of the dogmatism of this Lutheran religious instruction, it follows that teachers belonging to other denominations experience difficulty in obtaining posts in elementary schools. This is especially true in the country, where one teacher often teaches all the subjects. The Finnish educational system has made no provision to respect the freedom of conscience for people who regard the seventh-day Sabbath as a day of rest. Sabbatarian parents have often encountered difficulties. Some of them have even been fined and imprisoned, because they have not allowed their children to go to school on their Sabbath.

The State Church

Among the privileges accorded to the Lutheran state church, the state itself pays the stipend of the bishops and pays part of the diocesan expenses. The greatest economical benefit comes from its right to exact ecclesiastical tax from business corporations and private concerns, regardless of the number of members who may not belong to the established church. In such practices the fundamental principles of religious liberty are ignored.

Broadcasting in Finland is monopolized by a state-controlled corporation. As a result of this, in the religious programs broadcast by YLEISRADIO, opportunities afforded to denominations outside the state church are few. The Lutheran church services are broadcast every Sunday, but all other denominations together have the right to broadcast only five church services a year. On thirty Sundays of the year they are permitted to broadcast a morning meditation. Religious liberty has so far only been very inadequately achieved in the broadcast programs of the nation.

JANUARY-FEBRUARY



Invariably in a country where the state church predominates and enjoys special concessions, people of other denominations experience discriminatory treatment and feel, directly or indirectly, that they are treated as a tolerated minority, not readily accorded the equality that religious liberty postulates. Minority religions must therefore be constantly alert and active, ever seeking to remove the obstacles standing in the way of full religious liberty and equality for all citizens irrespective of their belief or disbelief. Complete religious freedom is a great source of strength to any nation.



WHEN THE NAME of Philip the Magnanimous, Prince of Hesse, is mentioned, it is almost always in connection with his bigamy—one of the most bizarre incidents in a sensational age. Yet Philip, founder of the first Protestant university (Marburg) and one of the ablest statesmen of his generation, deserves to be remembered for something far more unusual and praiseworthy: in an age of bloody persecution he was the only prince, Protestant or Roman Catholic, who refused to put dissenters to death for their beliefs. During his long reign (1518-67) he defied the law of the Holy Roman Empire, the express instructions of the pope, and the repeated demands of the Protestant Reformers, in protecting the lives of those who separated from the established church.

His "double marriage," the unworthy incident for which he is mentioned by historians, was itself a result of misdirected faith. We must remember that the 16th century was a rough and violent age, and that the Reformers had just dealt the death blow to one of the oldest adjustments in the relationship between the sexes: monasticism. Philip, a deeply religious man and a lay theologian of caliber, became convinced that the marriage which had been contracted for him for political

riage." On the contrary, he found that in times past God had allowed polygamy to his champions and patriarchs. Still uncertain, he turned to Bucer and Luther as to whether he had read aright; they confirmed his exegesis, but advised prudence. After seeking the further assistance of religious and legal counselors in securing papers to guarantee that all involved were satisfied, he married a second wife. His enemies, some of whom had themselves countenanced worse without taking grave offense, found in this foolish act a weapon with which to destroy the sturdy champion of the Protestant cause. If he had practiced a quiet immorality, which was common, the matter would have been no scandal. It was the seriousness with which he attempted to act with a good conscience that made him vulnerable and brought disaster to his cause.

In Philip's literal-minded attention to the Bible's teaching on the methods appropriate to the spread and maintenance of the faith, the consequences were far happier. The generous prince deserves to be remembered first for his conviction that the New Testament church was the true church, and that in the golden age of the faith no sword had been used in things religious except "the sword of the Spirit, which is the word of God"



If Philip of Hesse, noble defender of dissenters, had practiced quiet immorality, there would have been no scandal. But when the sturdy champion of the Protestant cause took two wives . . .

ONE WIFE TOO

DR. FRANKLIN H. LITTELL

*Professor of History and Church History in the Graduate School
of Emory University*

reasons during his youth was no true alliance. The sacred intent required by the church, and the good conscience which the Reformers demanded, were both missing. His first wife, from whom he was alienated, refused a divorce but agreed to his marrying a second wife. Often in the field of battle for weeks, beset by temptation and sin, he turned to the Bible for guidance. And there he read that adultery and promiscuity were mortal sins, but he found no explicit rejection of "double mar-

(Eph. 6:17). His love of the early church comes out clearly in his confession of faith (February 6, 1550):

That which pleases me, which is not opposed, which was maintained in the first church of the beloved fathers and martyrs, I do because I believe that the followers of the apostles and such as were so near to the death of Christ without doubt knew well the opinion of Christ and the apostles, and we all hold and believe one Christian church. What was maintained by those who lived and were Christian martyrs

so soon after the time of the apostles, that do I desire, that which makes us like to them.

For there can be no other church than that of the old fathers and martyrs who suffered and stood against the Arians and heretics for Christ's sake. No one can or will show me another Christian church.

He shared the belief of the persecuted Anabaptists that in the early church the faith had been spread by preaching, missions, and letter writing alone, and that such was the only sound Christian program.

We must recall to mind the universal brutality toward dissenters to appreciate what a drastic decision it was that led Philip, alone in his territory and against the pressures of both Protestant and Roman Catholic governments and state-churches, to repudiate the death penalty. When Michael Sattler, a nonresistant Christian and author of the first Anabaptist Confession of Faith (Schleitheim, 1527), was put to death in Rottenburg am Neckar, the sentence read:

Michael is to be led to the market place, to have his tongue cut out, to be torn six times with glowing tongs, thrown alive into a fire and burnt to ashes.

The state-church Protestant authorities were as barbarous. Their view of the efficient relations of church and state called for just as rigid conformity, or outward assent, as did that of the Roman Catholics. When Felix Manz fell as the first martyr to Protestant intolerance, he left behind him a hymn, "I will hold fast to Christ." In the sixth stanza, we read:

MANY

Such are the false prophets and hypocrites of this world,
They curse and pray much, their yoke is utterly awry.
They call on the government to put us to death,
For Christ has passed them by.

And stanza 15 says:

Those who show jealousy and hate cannot be Christians—
Who tend downward to evil, and strike with the fist.
To act in Christ's presence like killer and thief!
To shed innocent blood is the falsest love of all.

In suffering and martyrdom the pioneer Free Churchmen found further evidence that they had restored the New Testament church, and therefore were hated and persecuted by the world.

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JANUARY-FEBRUARY

FOCUS ON FREEDOM

THOUGH PREMIER KHRUSHCHEV was greeted by a cross in the sky on his arrival in the United States and with another on his departure, only one question asked him during his visit evoked a discussion on religion in the U.S.S.R. It was asked by the American Broadcasting Company's Edward P. Morgan at a news conference held in Washington, D.C., just before the Premier left for Moscow.

Asked Morgan: "Those of us who went to the U.S.S.R. with Vice-President Nixon were surprised at the number of young people in church. If there is an increasing interest in religion, what will be your attitude toward churches?"

Khrushchev's reply: "Well, first of all I believe the question itself confirms the fact that we do have a full freedom of conscience and religion in our country as we have been saying all along.

"Furthermore, I would like to say that . . . the . . . large number of young people in churches perhaps is partly explained by the feeling of curiosity. Young people are curious. I was telling the President the other day that immediately after the war when our Marshal Tolbukhi was returning from Bulgaria, I invited him to my home in Kiev. My grandchildren were very curious to see how a real marshal looked. They hid and looked from around the corners to see what . . . a live marshal was like.

"Many of our young people hear about religion, about God, about saints, about church ceremonies, and they have a curiosity about this. Even if each one of them goes to church only once, they are so numerous that the doors of our churches would never close.

"This feeling of curiosity is very important. For instance, I am sure that many people in this country ran out to see me because they wanted to see a living Communist from the Soviet Union. It is the same way in our country. If a capitalist comes to our country, our people, our young people, want to take a look, to see if he has a tail as an attribute to his person.

"So there is nothing surprising about these things."

It will be observed that Mr. Khrushchev answered well the question, "What do you believe is the reason so many young folks in the U.S.S.R. attend church?" Still to be answered: Mr. Morgan's question, "If there is an increasing interest in religion, what will be your attitude toward churches?"

Modern Trends in Religious Freedom

From page 21

ous groups and for individuals. But it must not be thought that religious freedom and toleration are to be found only in countries which have accepted this principle." In countries "where there is either an Established Church or a State religion" there are certain areas where "the non-conformists are treated on an almost equal footing with the members of the Established Church or State religion." "But it must not be assumed that every factor works in favour of greater toleration and respect for religious rights and freedoms. Quite a few unfavourable factors operate and these should not be overlooked both from the point of view of objectivity and from that of social interest."

An Ominous Danger

One of the most ominous dangers of the twentieth century is that "the mores of a dominant group which does not sufficiently take account of the rights and freedoms of others" may be imposed by the state. Even in a democracy discrimination can become apparent when the concepts of morality which are taught by the majority are legislated into law in preference to those entertained by the minority. Speaking of these conflicts, the report asserts: "Not always are they resolved in such a manner as to meet the just requirements of a democratic society. Sometimes, laws of blasphemy and censorship tend to smother the rights of minorities and thus to minimize the totality of freedom of society."

"Even to this day, there are in a few countries archaic enactments which are not employed in normal times but which acquire a dangerous strength in certain periods and lead to massive discrimination against a particular religious group or against all dissident religions or beliefs. For in a society which is not monolithic, and which is heterogeneous or multi-religious, the stirring up of prejudices against particular groups may be easy, and to the extent that archaic laws are on the statute books they serve as an additional weapon." The numerous archaic blue laws of many of the States in the United States of America are a typical example of how such discriminatory legislation can be retained even in a democracy.

Another important factor is that sometimes public authorities may display great willingness to improve the atmosphere of religious freedom but are prevented because they do not receive the cooperation of "certain dominant groups within a society. In certain cases 'heretical' or 'schismatic' groups, whose teachings are considered to present a vital threat to traditional religion, are viewed with great disfavour and are not able to live a normal life because of social pressures and intolerance." Therefore it requires more than just leg-

islative action "to overcome such stubborn prejudices." Extreme social pressures can be exerted by dominant religious groups.

Antireligious Ruling Classes

Another phenomenon of the modern world has been the emergence of ruling classes of a revolutionary and antireligious nature which have displaced ruling groups associated with religion. In such cases the new ruling class sometimes looks upon religion itself as constituting a threat to the state. It may adopt measures far beyond the need of the situation. As the fear of a counterrevolution aided by religion recedes, a more tolerant attitude toward religion is adopted.

"While the trend is broadly in favour of enjoyment of greater freedom, certain unfavourable factors continue to operate; also, the establishment of greater freedom in this field is not only a long-drawn-out process but a continuing one. During the first decades of the present century, a large measure of religious freedom and liberty was assured to citizens and groups in most parts of the world. But suddenly in the thirties, owing to Nazi activities against people on grounds of race and religion, this was reversed and many of the assurances given to religious minorities were not respected." "There is a danger that a new upheaval might bring old forms of discrimination into being again and reverse the trend. History has offered many examples of such reversals."

The Supplement to the Draft Report [also prepared by Special Rapporteur Arcot Krishnaswami and his associates—ED.] states: "It is comforting to record freedom from discrimination in the matter of religious rights and practices in large parts of the world. . . . What started as a toleration of dissenting creeds and beliefs . . . even though it was based only on sufferance of other faiths and beliefs by the dominant religion of the State—has matured in many countries into a recognition of the right of everyone to freedom of thought, conscience and religion. With the adoption of the Universal Declaration of Human Rights, this right was proclaimed as a common standard for all peoples and all nations."

Dominant Religious Groups

Opposition to the freedom of dissemination of religion or belief often comes from dominant religious groups which object either to the "substance of the message" that is being propagated or "the manner in which that message is conveyed." The International Religious Liberty Association believes that absolute freedom should be granted to all faiths to disseminate their teachings so long as that dissemination does not interfere with the equal freedom granted to other religions. An evangelical faith may take members from another religion. If, because of this, a state accedes to a request to limit the proselyting activities of the evangelical

group, it stoops to unjust discrimination. All religions should be granted the right of equal opportunity to persuade the public. If the persuasion of the evangelical faith is more effective, more convincing to the reason and the conscience, than that of the dominant faith, then, in all due recognition of the principles of freedom, that persuasion should be given a free hand. We must be careful not to assume that, because certain interests of a church are jeopardized by some members choosing what they believe to be a more acceptable religion, excuse for limitation on persuasion exists.

In other words, the state must not assent to discriminatory prescriptions by a dominant religion, which prescriptions may "seem to be calculated to restrict unduly, new or challenging religions or beliefs."¹

Difficulty arises, of course, in the case of foreign missionary activities, for "where a new religion, introduced from outside, propagates its faith through foreign missionaries, it can represent a fresh culture which may not harmonize with the existing order if allowed complete freedom."² "Where the dividing line between justifiable limitations and not-so-justifiable ones is thin on account of the complexity of the factors involved, it is more than ever necessary to emphasize the objectives which should influence the policy of a public authority."³ ★★★

(To be concluded)

REFERENCES

- ¹ *Study of Discrimination*, p. 75, par. 210.
- ² *Ibid.*, p. 75, par. 208.
- ³ *Ibid.*, par. 208.
- ⁴ *Ibid.*, p. 76, par. 212.
- ⁵ *Ibid.*, par. 213.
- ⁶ *Ibid.*, par. 213.
- ⁷ *Ibid.*, par. 214.
- ⁸ *Ibid.*, pp. 77, 78, par. 218.
- ⁹ *Ibid.*, par. 219.
- ¹⁰ *Supplement to Study of Discrimination*, p. 11, par. 221.
- ¹¹ *Ibid.*, p. 33, par. 307.
- ¹² *Ibid.*, p. 34, par. 308.
- ¹³ *Ibid.*, par. 309.
- ¹⁴ *Ibid.*, p. 35, par. 314.

The Rape of the Mind

From page 8

God. As a consequence, common denominators have invaded the classroom. Says Prof. Joseph Wood Krutch of Columbia University: "The ideal now persistently held before the American citizen from the moment he enters kindergarten . . . is a kind of conformity more or less disguised under the term 'adjustment.' 'Normality' has almost completely replaced 'Excellence' as an ideal. It has also rendered all but obsolescent such terms as 'Righteousness,' 'Integrity,' and 'Truth.' The question is no longer how a boy ought to behave, but how most boys do behave; not how honest a man ought to be, but how honest men usually are."¹

With no certainties to turn to without, man has turned within, to send his ambitions spiraling in an egocentric orbit. This research in inner space has produced nothing

but mass selfishness, hardly a nurturing medium for democratic ideals and freedom.

The founders of American freedom were men who believed in certain inalienable rights, rights granted to man by God, rights for which one need answer to no man. They were men who spoke familiarly of moral law and immutable truths, who understood that liberty demands sacrifice and self-imposed rules—moral rules that are not built on the shifting sands of fluctuating social mores. It remains to be demonstrated whether minds whose apogee is only relative truth can avoid the perigee of despotism.

3. Mass Communication. Ready-made opinions distributed day by day through press, radio, and television are gradually etching a fixed pattern of thought on the brain. Slowly he who formulates and dictates the words and phrases we use, he who is master of press and radio and television, is becoming master of the mind.

Of course, not all conditioning is bad. Editorial opinion may contribute to better citizenship. And what tooth paste one uses is hardly of earth-shaking consequence. But it remains to be asked: Does the mediocrity of television contribute to superiority of thought? Has Hollywood elevated standards of morality? (What is their definition of adultery, anyway?) Have advertisers upheld concepts of integrity? Does the "literature" rack in the local drugstore send readers forth a bit "riper" or a bit "rotten"? Is six-shooter violence conducive to good citizenship? (Won't some kid please play the "cop"?) Is the emphasis of communication media on that which is true, honest, just, pure, lovely, of good report (Phil. 4:8)? Said the apostle Paul, By "beholding . . . [we] are changed" (2 Cor. 3:18). After 2,000 years, a question: *How?*

A study in teen-age attitudes made by Drs. H. H. Remmers and D. H. Radler² may answer. Based on more than 150,000 questionnaires, it showed that there is among teen-agers an almost universal tendency to conformity. This trait was accompanied by several ominous concomitants. As reported in *Scientific American*: "More than half of our teen-agers believe that censorship of books, magazines, newspapers, radio and television is all right. More than half believe that the Federal Bureau of Investigation and local police should be allowed to use wire tapping at will, that the police should be permitted to use the 'third degree,' that people who refuse to testify against themselves should be forced to do so. About half of our teen-agers assert that most people aren't capable of deciding what's best for themselves; fully 75 per cent declare that obedience and respect for authority are the most important habits for children to learn. On practically all questions of social policy the youngsters lean strongly to stereotyped views."

Concluded Remmers and Radler: "Such answers may represent either unthinking responses or convinced and deliberate acceptance of an authoritarian point of view. In either case the picture is equally unhappy. The road to totalitarianism is the same length whether we walk down it consciously or merely drift down it. Unthinking conformity provides a setting which makes it possible for a demagogue to lead a nation into slavery."³

So Scene II with its 50 million robots marching forth to vote out minority rights, to vote in despotism, on the last election day held in the Land of the Once Free is not so

farfetched after all. What can be done about it? In future articles LIBERTY will explore the problem in depth, suggesting among other things a regaining and reteaching of moral standards and absolute truths, greater selectivity of the verbal and visual communications daily infiltrating the mind, a program to educate parents on the importance and methods of home training.

But first there must be awareness of the problem. We must come quickly to a recognition of the internal dangers of democracy—laxity, laziness, and unawareness. "People have to be aware of the tendency of technology to automatize their minds. They have to become aware of the fact that mass media and modern communication are able to imprint all kinds of suggestions on our brains. They have to know that education can turn us either into weak factories, or strong personalities. A free democracy has to fight against mediocrity in order not to be smothered by mere numbers of automatic votes."¹

Unless awareness of the forces daily robotizing us comes quickly, like Gulliver in Lilliput, man may awaken to find himself bound by hundreds of threads from the spool of conformity, each of which he could snap without effort, but all of which securely bind him to the will of little people.

¹ *The Rape of the Mind*, Joost A. M. Meerloo, M.D., The World Publishing Company, Cleveland and New York, 1956, pp. 19, 20.

² *Time Magazine*, "In Place of Excellence," Jan. 19, 1955.

³ *Scientific American*, "Teen-age Attitudes," H. H. Remmers and D. H. Radler, June, 1958, pp. 25-29.

⁴ *Ibid.*, pp. 26, 27.

⁵ *The Rape of the Mind*, p. 302.



One Wife Too Many

From page 25

Philip's sister Elisabeth, wife of his ally, the Duke of Saxony, wrote him in reproach: "The gossip is that the Anabaptists are growing in strength about thee and will revolt again." (The state-church people identified all dissenters as revolutionaries, "Bolsheviki of the 16th century.") The theologians of Wittenberg, Lüneberg, and Tübingen sent him a brief to prove that there were only three kinds of dissenters, two of which should be put to death and the third type incarcerated. But the magnanimous prince stiffened by his purpose.

We are as yet unable to find it in our conscience to judge with the sword anybody for the sake of religion, where we have no other sufficient evidence of rebellion. For if our judgment should be otherwise, we could tolerate no Jews or Papists—who blaspheme Christ most of all—but would let them be judged.

Even though he led the forces which put down the Peasant War in Thuringia, even though he commanded the Protestant forces which subdued the revolutionary government of Münster (1535), Philip avoided the common practice of identifying the nonresistant Bible-believing Anabaptists with the religious revolutionaries. He had studied their case and talked with their leaders,

and he was convinced that the Anabaptists were simple New Testament Christians who wanted nothing but a thoroughgoing reform of the church and the enjoyment of religious liberty.

Nevertheless, Philip was convinced that the Free Churchmen were wrong in separating from the established church. Although he tolerated them in their error, he granted no religious liberty. That would have been too much to expect at such a time. But it is not without significance that the first act of religious liberty was granted by a man of Nassau who spent his boyhood but a few miles from Philip's northern capital: William the Silent. Philip sometimes, when the outside pressure was too strong, jailed dissenters and required them to listen to his official preachers. But another event, on which the documents have been published but recently, was more representative: the Marburg Disputation of 1538. The Marburg Colloquy of 1529, in which Philip sought unsuccessfully to unite the Protestant state-church forces represented by Zwingli, Luther, Bucer, Brenz, Oecolampadius, and others, is frequently mentioned, though it was a failure. The Marburg Disputation of 1538, in which Philip supervised a significant series of discussions between the state-church and Free Church Protestant leaders, has been little mentioned, but it was a conspicuous success.

After Zwingli's untimely death on the battlefield of Kappel, Prince Philip turned more and more to Martin Bucer of Strasbourg for guidance in religious affairs. In 1538 he called together some state-church Protestant theologians under Bucer's leadership and staged a debate with Anabaptist leaders of Hesse. The result of this open discussion on the nature of the church, the only one of its kind in that day, was constructive for both groups. The Anabaptists were reconverted to the established church of Hesse, and the leaders of that church instituted confirmation, church discipline, and other measures calculated to lift the level of faith and morality in the congregations. Philip's instructions to his theologians were significant: he advised that they would do well—rather than to use force to compel conformity—to consider the Anabaptists a challenge to purify and reform the established church. This was done, and to this day the Church of Hessen/Nassau is the only Protestant established church in Germany that has a structure of church discipline, learned from the debate with despised dissenters! Philip may be called, in sum, a forerunner of genuinely ecumenical debate, of the effort to achieve through honest "encounter" between different understandings a better and clearer knowledge of the things of the faith.

Philip's policy of tolerance was not only praiseworthy as a matter of principle—and he suffered much political disadvantage for it—but it was also successful. It improved the political situation as well as the religion. Other lands continued to be wracked with religious and civil unrest and rebellion. Of churchly policy he wrote:

The Anabaptists are nowhere more useful to us, and the common man can be watched over and encountered by us in no better way, than we take the matter of Christian discipline seriously.

When one of his fellow princes inquired what to do about unrest and rebellion he wrote candidly that Hesse had not been bothered with such troubles for some time, and advised toleration as a wise policy.

Now that your excellency has desired our counsel and advice, we will in friendship not withhold the fact that in our principality, land and territory, this sect has been for a long time quiet and calm and (praise God) still is. Therefore we have at this time no court action against the Anabaptists, and further there has been no evidence submitted why we should have.

The noble prince could not in his day move on to the position of religious voluntarism. That decision came, in fact, only after two hundred years of established churches, and then in America. But he saw, as it were from afar, that in the New Testament view, the faith is spread by word of mouth and writing, the discipline of believers is sustained by internal church discipline and not by outward coercion, the use of the sword and persecution is out of place. And those who today benefit from a high view of the church and a wise view of public policy, in which it is recognized that "that service only is pleasing to God which is voluntary and uncoerced," may well remember and honor the name of the magnanimous prince who in his last will and testament wrote these words:

The (dissenters) are not all alike, therefore our sons shall order the educated to see if they can't win them away from their sects. . . . To kill anybody because he's of false belief, this we have never done and wish also to warn our sons against it.

So died a Christian prince. And so should be remembered one who was far ahead of his contemporaries—remembered for the vision of the New Testament church he acquired from reading his Bible, and not for his misreading of certain Old Testament texts. ★★★

A Street Called Liberty

From page 14

1. For repeal of a general statute prohibiting various amusements, sports, and entertainments on Sunday—91 yes, 66 no.

2. For repeal of laws prohibiting ordinary work on Sundays—81 yes, 80 no.*

3. To amend present laws to allow limited amusements such as movies during nonchurch hours—112 yes, 57 no.

* The close vote on the Sunday-work issue reflects continuing concern with the wide-open Sunday, most effective charge in the clergy's battery. Yet 162 people surveyed did not believe that a person should be forced to rest on a day he does not believe to be the Sabbath. One hundred eighteen believed the First Amendment guarantees religious liberty to every American. Seventeen did not.

Of Babes and Blue Laws

Mrs. Lewis Burch, of 735 Fulton Avenue, Spartanburg, was having trouble with her five-year-old son, Mark Burch. "He wanted to go across the street to visit a neighbor and I told him he couldn't go. He kept pleading to go and I finally told him he just couldn't. . . ." The five-year-old pondered this ban and then inquired, "Is it because there is a Blue Law against it?"

From "The Stroller," by Seymour Rosenberg in the August 5, 1959, Spartanburg Herald.

It was not the majority of citizens who spoke for Spartanburg on the referendum vote, but a vociferous minority stirred up by members of the clergy, who equated a vote against Sunday laws with a vote for sin and a "wide open" town—and what "wide open" meant was not left entirely to the fertile imaginations of parishioners. Factories would run, all stores would open, liquor would flow, plagues would fall, and the forces of Satan would gain the ascendancy. A vote to repeal the Sunday blue laws would make Spartanburg "as open as hell itself," the Reverend Fred Dabney, recognized head of the problue law forces, told the Optimist Club on the morning of the referendum.

2. Public apathy and public hypocrisy played decisive parts in the referendum results. As to apathy, only 46 of the 183 interviewed during the LIBERTY survey had voted in the referendum; 46 of the 135 who did not vote were not registered voters. "We knew most people were against the laws," a Jaycee said. "Unfortunately, most of us who opposed them failed to get out and vote."

As to hypocrisy, the question, "Should a new law be passed allowing Sunday movies and other recreation not conflicting with church hours?" was voted down by a 6,798 to 5,112 margin. Yet according to a television audience survey, on a recent Sunday night at seven-thirty—during evening church hours—more than 34,000 people from Spartanburg County were watching a Western movie! The same survey shows that in the Greenville-Spartanburg-Asheville area more than 80,000 families were watching movies at 6:15 P.M.! Chief argument about enforcement of the State blue laws in Spartanburg centered around the operation of movie theaters on Sunday.

3. Confusion and arrests following the referendum cost the Sunday law many of its supporters. "If I had known that the police would go around arresting people like they have," said one, "I would have voted against them. Most of my neighbors feel the same way." "This isn't Russia yet, but it is

getting close to it," said another. Other comments were not printable.

4. No law can be successfully enforced without general public acceptance, approval, and support.

Box score on Sunday law violations tried by jury since the referendum: Eleven jury trials, ten acquittals, one mistrial!

Though the Spartanburg referendum found citizens speaking out of both sides of their mouths, the lessons are nevertheless plain and constitute a clear mandate to the State assembly to wipe the antiquated blue laws from the books.* In the words of the Anderson, South Carolina, *Independent*:

"The admonition to remember the Sabbath ["The seventh day is the Sabbath of the Lord thy God" (Exodus 20:10).—Ed.] and to keep it holy is law of a higher kind—God's law—and that is a matter of the individual conscience. . . .

"Christian views on what constitutes proper observance of the Sabbath [Sunday] vary as widely as the denominations and the members thereof.

"To insist that a City Council, a Legislature or a Congress provide rigid rules for Sabbath observance is to demand that government enforce Christian discipline with a policeman's club—a development the founding forefathers wisely sought to prohibit by providing that affairs of church and state be kept forever separate. . . .

"The answer to the problem is not to be found in man-made laws, old or new. It has to start in the home; be taught there in the family circle.

"Christian discipline is the responsibility of the church and its membership. . . .

"The ancient 'blue laws' are still on the statute books of municipalities and the state. These laws should either be modified or removed—or else they should be enforced to the letter.

"And if the present laws are enforced to the letter, you may be certain that in time they will be modified or repealed. . . . President Ulysses S. Grant voiced the formula in his inaugural address in 1869 when he said: 'I know of no method to secure the repeal of bad or obnoxious laws so effective as their stringent execution.'"

★★★

* LIBERTY only wishes the mandate were as clear to repeal all blue laws, which by their very nature are discriminatory and, on several counts, unconstitutional. (See the article by Dr. Leo Pfeffer, page 9.)

Sunday Laws Are Religious Laws

From page 9

the first day, is not occasioned by any subordination of his religion, but because as a member of the community he must submit to the rules which are made by lawful authority to regulate and govern the business of that community.

We respectfully submit that this rationalization is unreal, bordering, in fact, upon the fictitious. We submit

Three of South Carolina's Blue Laws

(Taken from a summary of the South Carolina Code of 1952 referring to Sunday laws. This was distributed by the Christian Action Council in Columbia, South Carolina.)

The section of the South Carolina Code of 1952 specifically referring to movies is 5-103, which says that it is lawful to exhibit public motion pictures, sports, and concerts after two o'clock on Sunday afternoons under four conditions:

1. In counties of more than 62,000 population, 1940 census. (Includes Spartanburg.)
2. In cities from 16,000 to 16,100 in population.
3. In counties containing a city having an exact population of 5,747.
4. In incorporated seashore resorts.

The permission of the local governing body is necessary (except in a city having an exact population of 5,747) and no events can be shown from 7:00 to 9:00 P.M. There are also provisions for movies in towns near military establishments.

64-1. Public sports prohibited on Sunday—"No public sports or pastimes, such as bear-baiting, bull-baiting, horse-racing, interludes or common-plays, or other games, exercises, sports, or pastimes . . . shall be used on Sunday by any person." Stock-car racing also prohibited. Court rulings have declared this law constitutional and to be enforced. Rulings have declared that it does not apply to golf as a game or exercise but does apply to the officers and agents of a golf club.

64-2. No regular worldly labor, business, or work permitted on Sunday—"work of necessity or charity only exempted."

that what is essentially a religious law cannot be made a secular or civil law simply by calling it such. We offer the following reasons in support of our claim that compulsory Sunday observance laws remain what they have always been—religious laws.

1. The origin of Sunday legislation is incontrovertibly religious. Legislatures never evidence any intent to change the religious motivation of such measures. At no time have the old Colonial laws been repealed and replaced by new laws based upon the legislative finding that a day of rest is necessary for reasons of health. On the contrary, courts have consistently recognized the religious nature of Sunday legislation. This conclusion is fortified by the fact that Sunday law statutes even today frequently use the phrase "the Lord's day." Such designation of the day of compulsory abstinence from secular affairs can hardly be called secular.

2. In *Com. v. Has, supra*, the court said that the "act imposes upon no one . . . attendance upon any form of worship." Yet, the act permits participation and engaging in sports after 2:00 P.M., and this limitation, as we have seen, is motivated

by a desire not to allow activities which some might find more attractive than attendance at church. Although forbidding all pleasurable and profitable activities during the time church is open may not force a person to go to church, it certainly influences him in that direction; and in the *Everson* and *McCullum* cases, *supra*, the Supreme Court held that under the no-establishment clause a State can neither force "nor influence a person to go to or remain away from church. . . ." In any event, we can think of no reasonable explanation for the limitation of sports to the afternoon other than to avoid competition with church services.

In *Zorach v. Clauson*, 343 U.S. 306, the Supreme Court held it permissible for public school authorities to excuse children from attending school for an hour each week if they participate in religious instruction during that time. This, the Court said, was not aid to religion but no more than an accommodation of the school schedule to the religious needs of the children. But suppose that law forbade school to be in session during the time of religious instruction; and suppose it went further and made it a criminal offense for the children to participate in secular instruction or in any other activities while the religious class was in session. Could there be any doubt that such a law would be in aid of religion and violative of the First Amendment, even though it does not expressly "impose" upon anyone "attendance upon" religious instruction?

This, we submit, is the situation here. The legislative intent to aid religion by closing all roads other than those leading to church seems to us to be incontrovertible.

3. The Massachusetts Sunday law, for example, does not in fact require anyone to rest on Sunday. It merely requires some trades, businesses, and occupations not to operate on that day. It imposes an obligation of rest upon those businesses but not upon the persons engaged in them. Numerous businesses—almost too numerous to count—are permitted to operate on Sunday, and nothing in the Sunday law prohibits persons from engaging in a forbidden business for six days of the week and in a permitted business on Sunday. Such a person could engage in business seven days each week without any rest and yet would not violate the statute here in issue.

The businesses permitted by the statute undoubtedly employ hundreds of thousands of persons in Massachusetts. As far as this statute is concerned these persons may work seven days a week. Indeed, in one instance at least, the statute not merely permits but encourages work seven days each week. The opening sentence of the second paragraph of Section 6 permits the sale of tobacco only by those "newsdealers whose stores are open for the sale of newspapers *every day in the week*." What kind of health and welfare law is it that places a premium upon working seven days a week?

4. Actually the predominant purpose of the Sunday law statutes is not to ensure rest, but to prevent defilement of the sabbath. It is aimed not at persons but at businesses. It seeks to prevent secularization of the Lord's day. If that were not so, why select the Lord's day as the day of the week during the week on which persons shall rest? As far as health is concerned, it makes no difference whether a person rests every Wednesday or every Sunday. Why should not each business owner decide for himself on which day of the week he will refrain from operations. Businesses are conducted in the open, and there would be no practical difficulties in enforcing such a law. In Great Britain and in some dozen or so States in this country, persons who observe a day other than Sunday as their day of rest are permitted to operate their businesses on Sunday. (Pfeffer, *Church, State, and Freedom*, p. 236.) These exemptions have been on the law books for many years, and there is no evidence that enforcement has been impracticable anywhere.

5. That the primary purpose of the Sunday law statute in the States, Massachusetts for example, is not to ensure one day's rest in seven is established by the fact that Massachusetts has a law, completely independent of the Lord's day statute, that requires one day's rest in seven. Section 48 of chapter 149 of the Annotated Laws of Massachusetts provides that "every employer of labor engaged in carrying on any manufacturing, mechanical or mercantile establishment or workshop in the commonwealth shall allow every person . . . employed in such manufacturing, mechanical or mercantile establishment or workshop at least twenty-four consecutive hours of rest . . . in every seven consecutive days." This, we submit, is a true health or welfare law. It does not designate the 24-hour period, for it recognizes that as far as rest is concerned, 24-hour periods are fungible. *It is religion, not health, that makes one particular 24-hour period unique and superior to all others.*

Recently trade associations and labor unions have expressed an interest in Sunday law enforcement. But throughout history religious sanctions and laws have been employed to further secular needs. That fact does not make them the less religious in essence. It remains true that enforcement of Lord's day laws and defeat of liberalizing amendments are due principally to the efforts of religious and not secular organizations. (Pfeffer, *Creeks in Competition*, pp. 109-111.) Whatever secondary use Lord's day laws have been put to, we submit that their primary purpose and effect is religious.

We submit, too, that a fair, objective consideration of all the evidence, contemporary as well as historical, leads to but one answer: *Compulsory Sunday observance statutes are religious laws, and their enforcement is interdicted by the First Amendment's ban on laws respecting an establishment of religion.* ★★★

as the editors see it

A SATURDAY BLUE LAW?

DISTRICT ATTORNEY HUETTE F. DOWLING of Dauphin County, Pennsylvania, pinpointed the Sunday blue law confusion and discrimination when he called for a State Saturday blue law to even up the score.

Sorely pressed by his conscience to enforce the State law, yet realizing that it is discriminatory, the district attorney suggested that "Pennsylvania lawmakers enact Blue Laws for two days, Saturday as well as Sunday," since many people do not observe Sunday as their Sabbath.

It is an anomaly that law enforcement officers of the commonwealth of Pennsylvania, the cradle of freedom, should be compelled to enforce archaic religious laws. It matters little whether they are labeled health, welfare, or social legislation. Basically, they are religious laws resurrected by giant business interests to control competition. The religious and economic discrimination these laws inflict should have been discarded with the stocks, the whipping post, and the ducking stool of 200 years ago.

The district attorney's suggestion for a Saturday blue law to remove the religious and economic discrimination of Sunday blue laws is a commendable attempt to correct a bad situation. However, a bad law can never be corrected by attaching another bad law to it. Because both Saturday and Sunday are traditionally religious days, laws to protect their status should have no place in the State where men strove so gallantly to protect majority and minority rights.

Since Constantine the Great enacted his first Sunday law in A.D. 321, controversy has raged over which day is the true Sabbath, Saturday or Sunday. Laws enforcing observance of either day ignore the basic American principle that religious convictions are in-

alienable and are not subject to the jurisdiction of civil government. Though having personal convictions regarding which day is really the Bible Sabbath, the editors of *LIBERTY* believe that Pennsylvania will be better off with laws that enforce neither day.

W. M. A.

MAYORAL MANIPULATIONS

THE MAYOR of Gaffney, South Carolina, is opposed to Sunday movies. So is the city council. It is their right to oppose Sunday movies. But notice the section of Gaffney's license code that the mayor is reported to have used as authority to revoke theater licenses for operating on Sunday:

"Any license issued to any moving picture theater, opera house or vaudeville may be subject to revocation at any time on account of any immoral, indecent or vulgar performance that may be exhibited in any such theater. The mayor and councilmen shall have at all times full authority to enter said theater for inspection purposes and the City Council is hereby constituted a Board of Censors and shall have the authority to revoke the license of any theater in the event their suggestion shall not be adopted by the Managers thereof."

As the Spartanburg, South Carolina, *Herald* aptly comments: "You don't have to be a lawyer to see that this language covers the subject matter of movies—not the day of operation."

"Circumstances which make citizens subject to the whims of enforcement officers, rather than to the intent of the laws themselves, are dangerous circumstances."

"For if one law may be twisted and applied selectively, are any laws free from manipulation?"

R. R. H.

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world report

AUSTRALIA

Sydney.—Under Section 19 of the Police Offenses Act, 1901-36, whosoever is found engaging in shooting at any pigeon match, or for pleasure, sport, or profit of any kind on Sunday; or, if found carrying firearms on Sunday, shall be liable to a penalty not exceeding £5 (\$14).

Sunday sports of many kinds have come into vogue since the act was drafted, but you still can't get away with shooting for pleasure or profit on the "Sabbath." Not even far from the towns. Not even in rural Coolongolook.

"In Taree, reports the *Sun-Herald*, a Coolongolook man was fined £1 (\$2.80) for carrying a firearm on a Sunday. He had not only carried but discharged it—to scarify a snake bite on his arm.

"When found by neighbors he had fainted. Recovering in a hospital, he was interviewed by a zealous detective-constable and later charged."

The moral seems to be that, while you can indulge in tennis or bowls on Sunday, or play the poker machine at the local club, you mustn't go hunting for the pot. Or if you must, beware of snakes!

CANADA

North Bay.—A legal battle over a three-year-old Roman Catholic girl ended here with the award of her custody to foster parents, Mr. and Mrs. Wilbert Dunn, by the Supreme Court of Ontario.

The Roman Catholic Church waived its objections after the Dunns signed a pledge stating that Suzanne Fournier would be educated in Catholic schools. Although Mrs. Dunn attends the Pro Cathedral of the Assumption in North Bay, it was learned that she is not regarded as a Catholic because she married outside the church. Her husband is a member of the United Church of Canada.

The Catholic Children's Aid Society placed Suzanne with the Dunns in February, 1956, because it believed the home to be a Catholic one. Told by a priest that although Mrs. Dunn attends services at the Pro Cathedral she was not married in a Catholic ceremony, the society tried to withdraw the child. The Dunns immediately filed for and obtained an injunction permitting them to keep Suzanne temporarily.

GREAT BRITAIN

London.—A proposal that "a person's name should be removed from the electoral roll of his parish if he has not attended public worship in the parish for six months" was withdrawn by the National Assembly of the Church of England.

It had earlier been defeated in all three Houses of Bishops, Clergy, and Laity.

Dr. Geoffrey Francis Fisher, Archbishop of Canterbury, welcoming the Assembly's decision, said he believed "we have delivered ourselves from a great danger."

He said he could have conceived, for example, of an instance where a person abstained from church for six months because of the vicar. He said he knew of a case where almost the whole of a parish had ceased to attend church because of the attitude of its vicar.

Noting that he had been unhappy about the phrase "sufficient cause," Dr. Fisher said: "I am thankful that 'sufficient cause' will not have to be argued in every parochial church council."

GUATEMALA

Guatemala City.—The Government of Guatemala has published a decree that recognizes the bishops as the legal representatives of the Roman Catholic Church in the country.

This means that, for the first time since late in the last century, the church can purchase, own, sell, and exchange property just as any other judicial entity or person.

Signed by President Miguel Ydigoras Fuentes, the decree implements Article 50 of the 1956 constitution, which says: "Churches of all cults are recognized as juridical persons, which may acquire and own properties and make use of them as long as they are exclusively destined for religious, social aid or educational purposes."

The new decree benefits only the Catholic Church—to which most Guatemalans belong—although Article 50 refers to all religions.

The previous constitution, adopted in 1849 following the 1871 anticlerical reform, "which resulted in

church-state separation, barred all churches from owning property and did not recognize them as juridical entities. The new constitution was adopted under the aegis of the late President Carlos Castillo Armas.

GERMANY

Cologne.—The Catholic Men's Movement (KAB) censured the Labor Ministry of the West German state of North-Rhine Westphalia for permitting factories in the area to introduce the so-called Gliding Work Week, which permits Sunday labor.

Designed to step up production and facilitate the introduction of shorter working hours, the week allows for Sunday work by giving laborers a rest on weekdays on a continuously rotating basis.

"We protest sharply," the KAB said, "against this continued undermining of the holiness of the Sabbath and view with great concern the increasing trend to sacrifice cultural religious values for economic profit."

Both the Catholic Church and the Evangelical Church in Germany (EKID) have repeatedly denounced the Sunday project as a threat to the country's family and religious life.

RUSSIA

Moscow.—Moscow Radio blasted church feasts and saints' days and called for their abolition, charging they are harmful to Soviet morals and economy, especially causing industrial and agricultural slowdowns.

"In most cases," said the broadcast, "lovers of the celebrations and revelry still associated with saints' feast days have preserved only an addiction to the bottle, drunkenness and brawling."

"While ministers of religion preach sobriety to the family, they do not condemn drunkenness during saints' day observances and other religious festivals."

It warned that the Soviet state "cannot reconcile itself to such a situation in which great harm is done to the country's economy and people's morals."

SPAIN

Madrid.—The Jewish community in Madrid is planning to open its first synagogue in nearly five centuries. It will be located on Calle Pizzaro, in the central part of the city.

The new synagogue will be the first in the capital since the expulsion of the Jews from Spain in 1492 during the reign of King Ferdinand and Queen Isabella.

The somewhat rigid official attitude toward the small Jewish minority in Spain was eased in 1953 when Rabbi D. A. Jessurun Cardozo of New York was present for the first Rosh Hashanah and Yom Kippur services to be conducted in Spain by an ordained clergyman since the 15th century.

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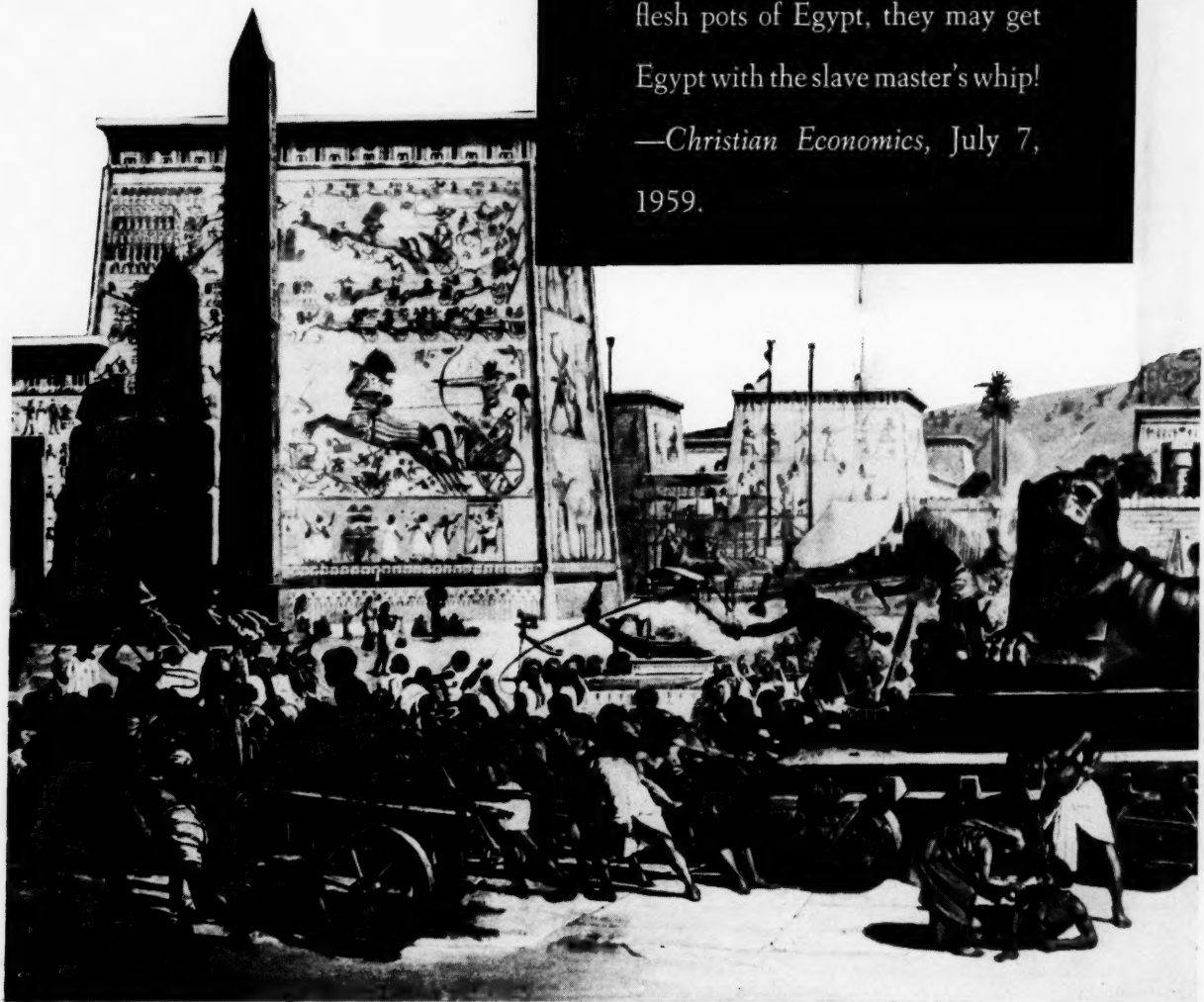
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Of FREEDOM and FLESHPOTS

In the Bible, God judged sin by permitting people to have their own way, for sin is its own punishment. If, like Israel of old, the American people reject the discipline of freedom and cry for the flesh pots of Egypt, they may get Egypt with the slave master's whip!

—*Christian Economics*, July 7, 1959.



A. J. POYNTER, F.R.A.

He Who Floats With the Current



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VERNON HYS, ARTIST

"He who floats with the current, who does not guide himself according to higher principles, who has no ideal, no convictions—such a man is a mere article of the world's furniture—a thing moved, instead of a living and moving being—an echo, not a voice. The man who has no inner life is the slave of his surroundings, as the barometer is the obedient servant of the air at rest, and the weathercock the humble servant of the air in motion."

—*Henri Frédéric Amiel*

